KANSASWORKS STATE BOARD

AGENDA

Wednesday, May 6, 2020
10:00 AM – Noon

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I. Welcome, Call to Order and Introductions: David Harwood, Chair

II. Public Comment Period

III. Chair Report: David Harwood

IV. Consent Agenda: David Harwood

a. January 23, 2020 KWSB Meeting Minutes
b. Policy #5-02-00 Eligible Training Provider List

Recommended Action: Approve consent agenda as presented.

V. Presentations and Reports

a. WF System Common Identifier: Mike Beene, Employment Svcs Director, Dept of Commerce
b. Labor Market Report: Tyler Tenbrink, KDOL
c. Kansas Workforce COVID-19 Update: Mike Beene & Shelly Thompson, Dept of Commerce

Recommended Action: Receive and Post Reports to KWSB Website.

VI. Adjournment

KANSAS*WORKS State Board Meetings:*
August 5, 2020
November 4, 2020

KANSASWORKS STATE BOARD

DRAFT MINUTES/MOTIONS

Thursday, January 23, 2020
Capitol Plaza, Emerald Room, Topeka, Kansas

Carol Perry, **KANSAS**WORKS State Board Vice-Chair

Consent Agenda and Actions Approved as Follows:

Consent Agenda:
a. November 6, 2019 KWSB meeting minutes
Sheila Martinez moved to approve, Rob Roberts, seconded, motion passed.

Action Items:
a. WIOA Combined State Plan
Perry Wiggins moved to approve, Jermaine Wilson, seconded, motion passed.

b. Perkins V State Plan
Matthew Hall moved to approve, Darrell Pankratz, seconded, motion passed.

KWSB Meeting Adjournment – 2:30 PM
Todd Newkirk moved to adjourn, Matthew Hall, seconded, motion passed.

DRAFT

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. 74-32,418; K.S.A. 74-32,419; 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. 122Workforce 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. 74-32,418 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. 74-32,419 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). Commerce is also responsible for completing the ETA-9171 report as required by the Department of Labor.

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 Workforce Development 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.

All new providers of training 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. The K-TIP report includes data for all approved postsecondary career technical education programs offered by technical colleges, community colleges, the Washburn University Institute of Technology, and the Wichita State University Campus of Applied Sciences and Technology. All approved postsecondary career technical education programs offered by technical colleges, community colleges, including the Washburn University Institute of Technology and the Wichita State University Campus of Applied Sciences and Technology 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.

Career technical education institutions and private or out-of-state postsecondary educational institutions that do not participate in the K-TIP report must submit, annually and no later than October 1 of each year, the program performance for All Students which includes:

1. Number Participated
2. Number Exited
3. Number Completed
4. Number Employed in 2nd Quarter After Exit
5. Number Employed in 4th Quarter After Exit
6. Number Who Attained Credentials
7. Median Earnings in 2nd Quarter After Exit
8. Average Earnings 2nd Quarter After Exit
9. Average Earnings 4th Quarter After Exit

This information must be submitted in KANSASWORKS.com through each providers' Eligible Training Provider account. Each program has a performance tab where the information must be submitted. The information should be submitted for the previous academic year ending on June 30th. For example, July 1, 2018 through June 30th, 2019 performance information would be submitted on October 1, 2019.

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 https://www.kansasregents.org/workforce_development/k-tip-report

Each local board has cost-effective access to real-time performance information for WIOA participants within **KANSAS**WORKS.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. WIOA Number Participated;
2. WIOA Number Exited (includes students who completed, withdrew or transferred out of the program);
3. WIOA Number Completed;

4. WIOA Number Employed in 2nd Quarter After Exit;
5. WIOA Number Employed in 4th Quarter After Exit;
6. WIOA Number Who Attained Credentials;
7. WIOA Median Earnings in 2nd Quarter After Exit;

Programs registered by the National Apprenticeship Act (NAA) are automatically approved by the State Eligible Training Provider Director in coordination with the State Apprenticeship Director.

The State Apprenticeship Director shall authorize removal of any apprenticeship program that fails to retain its status as a Registered Apprenticeship and notify the State Eligible Training Provider Director.

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-viewedbiennially.

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 minimum levels of program performance for "all students" is set as follows:	
Employment Rate 2nd Quarter After Exit:	64%
Employment Rate 4th Quarter After Exit:	62%
Median Earning 2nd Quarter After Exit:	$5,752 or $11/hr
Credential Attainment within 4 Quarter After Exit:	54%

There are no minimum levels of performance for Number Participated, Number Exited, Number Completed, Average Earnings 2nd Quarter After Exit, and Average Earnings 4th Quarter After Exit.

The minimum levels of program performance for "WIOA students" is set as follows:	
Employment Rate 2nd Quarter After Exit:	80%
Employment Rate 4th Quarter After Exit:	78%
Median Earning 2nd Quarter After Exit:	$7,155 or $13.75/hr
Credential Attainment within 4 Quarter After Exit:	68%

There are no minimum levels of performance for WIOA Number Participated, WIOA Number Exited, and WIOA Number Completed.

When evaluating program performance for continued eligibility, local boards should take into account the cohort size that is reported. Programs should not be denied based solely on the low performance of a small cohort size.

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 (career services) 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 Kansas 2-year and 10-year Job Outlook is accessible at https://klic.dol.ks.gov/vosnet/gsipub/documentview.aspx?enc=O6gEpyXGD9LfhiKsUBr3MNfKfgOHgNx9OMS9hFy0fuI=. 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: https://www.kansasregents.org/academic_affairs/private_out_of_state/private_and_out_of_state_institutions

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 05-31-00 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

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. T he 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 biennially thereafter.

Local boards should continue to review provider and program performance on an annual basis using performance information for the most recent years available for all students as reported on the K-TIP report and **KANSAS**WORKS.com.

When using the K-TIP report, local boards should use the table below to review and report program level information:

KANSASWORKS.com Data Element	K-TIP Report
Number Participated	Total # Declared Majors
Number Exited	Total # Graduates Exited
Number Completed	Total # Graduates
Number Employed 2nd Qtr After Exit	Total # Graduates Exited and Employed
Number Employed 4th Qtr After Exit	
Number Who Attained Credentials	Total # Graduates
Median Earnings in 2nd Qtr After Exit	(Media wage)/4
Average Earnings in 2nd Qtr After Exit	(Average wage)/4
Average Earnings in 4th Qtr After Exit	

Local boards should also review performance information for the most recent year available for WIOA participants within the **KANSAS**WORKS.com 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. WIOA Number Participated;
2. WIOA Number Exited (includes students who completed, withdrew or transferred out of the program);
3. WIOA Number Completed;
4. WIOA Number Employed in 2nd Quarter After Exit;
5. WIOA Number Employed in 4th Quarter After Exit;

6. WIOA Number Who Attained Credentials;
7. WIOA Median Earnings in 2nd Quarter After Exit;

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 WIOA Annual Performance Reports. 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 at 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 above under "Minimum Levels of Performance" 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 WIOA negotiated 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 **KANSAS**WORKS State Board, and to accept the Individual Training Account (ITA) payment method.

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~~74-32,418; K.S.A. ~~72-4452~~74-32,419; 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. 122Workforce 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~~74-32,418 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~~74-32,419 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). Commerce is also responsible for completing the ETA-9171 report as required by the Department of Labor.

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 Workforce Development 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. The K-TIP report includes data for all approved postsecondary career technical education programs offered by technical colleges, community colleges, the Washburn University Institute of Technology, and the Wichita State University Campus of Applied Sciences and Technology. All ~~eligible~~ approved postsecondary career technical education programs offered by technical colleges, community colleges, including the Washburn University Institute of Technology and the Wichita State University Campus of Applied Sciences and Technology~~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.

Career technical education institutions and private or out-of-state postsecondary educational institutions that do not participate in the K-TIP report must submit, annually and no later than October 1 of each year, the program performance for All Students which includes:

1. Number Participated
2. Number Exited
3. Number Completed
4. Number Employed in 2nd Quarter After Exit
5. Number Employed in 4th Quarter After Exit
6. Number Who Attained Credentials
7. Median Earnings in 2nd Quarter After Exit
8. Average Earnings 2nd Quarter After Exit
9. Average Earnings 4th Quarter After Exit

This information must be submitted in KANSASWORKS.com through each providers' Eligible Training Provider account. Each program has a performance tab where the information must be submitted. The information should be submitted for the previous academic year ending on June 30th. For example, July 1, 2018 through June 30th, 2019 performance information would be submitted on October 1, 2019.

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~~.

https://www.kansasregents.org/workforce_development/k-tip-report

~~The Kansas Career Navigator also includes program data by institution and program. Local boards should also use this data as it becomes available in determination of subsequent eligibility.~~

Each local board has cost-effective access to real-time performance information for WIOA participants within **KANSAS**WORKS.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;~~

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~~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.~~

1. WIOA Number Participated;
2. WIOA Number Exited (includes students who completed, withdrew or transferred out of the program);
3. WIOA Number Completed;
4. WIOA Number Employed in 2nd Quarter After Exit;
5. WIOA Number Employed in 4th Quarter After Exit;
6. WIOA Number Who Attained Credentials;
7. WIOA Median Earnings in 2nd Quarter After Exit;

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Programs registered by the National Apprenticeship Act (NAA) are automatically approved by the State ~~Registered Apprenticeship Director~~Eligible Training Provider Director in coordination with the State Apprenticeship Director.

The State Apprenticeship Director shall authorize removal of any apprenticeship program that fails to retain its status as a Registered Apprenticeship and notify the State Eligible Training Provider Director.

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~~biennially.

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 minimum levels of program performance for "all students" is set as follows:

Employment Rate 2nd Quarter After Exit:	64%
Employment Rate 4th Quarter After Exit:	62%
Median Earning 2nd Quarter After Exit:	$5,752 or $11/hr
Credential Attainment within 4 Quarter After Exit:	54%

There are no minimum levels of performance for Number Participated, Number Exited, Number Completed, Average Earnings 2nd Quarter After Exit, and Average Earnings 4th Quarter After Exit.

~~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.~~

The minimum levels of program performance for "WIOA students" is set as follows:

Employment Rate 2nd Quarter After Exit:	80%
Employment Rate 4th Quarter After Exit:	78%
Median Earning 2nd Quarter After Exit:	$7,155 or $13.75/hr
Credential Attainment within 4 Quarter After Exit:	68%

There are no minimum levels of performance for WIOA Number Participated, WIOA Number Exited, and WIOA Number Completed.

When evaluating program performance for continued eligibility, local boards should take into account the cohort size that is reported. Programs should not be denied based solely on the low performance of a small cohort size.

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~~career services) 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~~Kansas 2-year and 10-year Job Outlook is accessible at https://klic.dol.ks.gov/vosnet/gsipub/documentview.aspx?enc=O6gEpyXGD9LfhiKsUBr3MNfKfgOHgNx9OMS9hFy0fuI=~~https://klic.dol.ks.gov/gsipub/index.asp?docid=555~~. Those industries exhibiting growth are generally considered to be in-demand industries.

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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~~ https://www.kansasregents.org/academic_affairs/private_out_of_state/private_and_out_of_state_institutions

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~~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~~05-31-00 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~~ 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~~biennially thereafter.

Local boards should continue to review provider and program performance on an annual basis using performance information for the most recent years available for all students as reported on the K-TIP report and **KANSAS**WORKS.com.

When using the K-TIP report, local boards should use the table below to review and report program level information:

KANSASWORKS.com Data Element	K-TIP Report
Number Participated	Total # Declared Majors
Number Exited	Total # Graduates Exited
Number Completed	Total # Graduates
Number Employed 2nd Qtr After Exit	Total # Graduates Exited and Employed
Number Employed 4th Qtr After Exit	
Number Who Attained Credentials	Total # Graduates
Median Earnings in 2nd Qtr After Exit	(Media wage)/4
Average Earnings in 2nd Qtr After Exit	(Average wage)/4
Average Earnings in 4th Qtr After Exit	

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Local boards should also review performance information for the most recent year available for WIOA participants within the **KANSAS**WORKS.com 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.~~

~~The number of individuals served:~~

~~Number exited (includes students who completed, withdrew or transferred out of the program);~~

~~Number who completed the program:~~

~~Number of exiters employed in the 2nd quarter after exit;~~

~~Number of exiters employed in the 4th quarter after exit;~~

~~Median earnings of exiters in the 2nd quarter after exit;~~

~~Number of exiters who attained a credential during participation or within one year after exit;~~

1. WIOA Number Participated;
2. WIOA Number Exited (includes students who completed, withdrew or transferred out of the program);
3. WIOA Number Completed;
4. WIOA Number Employed in 2nd Quarter After Exit;
5. WIOA Number Employed in 4th Quarter After Exit;
6. WIOA Number Who Attained Credentials;
7. WIOA Median Earnings in 2nd Quarter After Exit;

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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~~WIOA Annual Performance Reports. 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~~ at 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 above under "Minimum Levels of Performance" ~~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 WIOA 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 **KANSAS**WORKS State Board, and to accept the Individual Training Account (ITA) payment method.

KANSASWORKS
Common Identifier Update

The Common Identifier Workgroup has gathered since the previous State Board Meeting and have put together sample common identifiers to share with the State Board. All of the graphics included must still be shared with the local boards in May and June and approved prior to moving forward.

NEXT STEPS

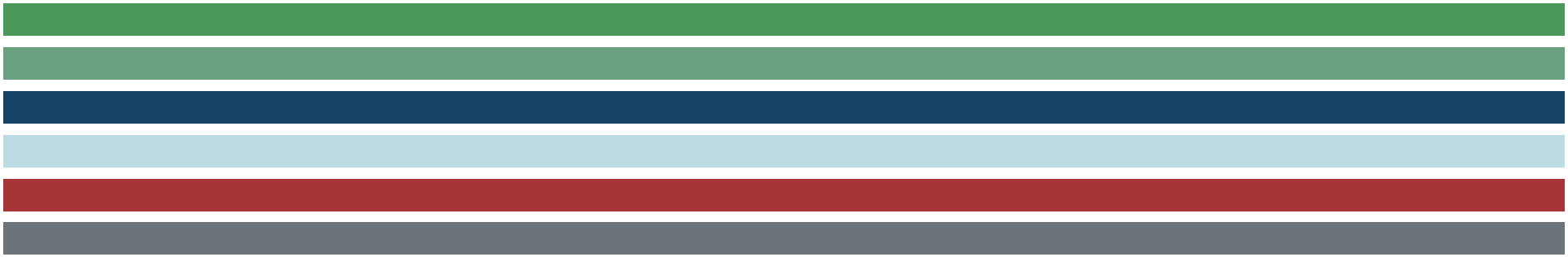
+ The Common Identifier Workgroup will continue to meet to continue working on logos to share with the local boards.
+ Workgroup members will share the graphics with their local boards during their next meetings in May and June.
+ Work will continue to progress putting together **KANSAS**WORKS Brand Guidelines.

KANSASWORKS

KANSASWORKS // Color Palette

PRIMARY COLOR PALETTE

SECONDARY COLOR PALETTE



KANSASWORKS // Typography

PRIMARY FONTS

Aa

Futura

ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz
1234567890

Aa

Proxima Nova

ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz
1234567890

SECONDARY FONTS

Aa

Arial

ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz
1234567890

Aa

Helvetica

ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz
1234567890

KANSASWORKS // Logos

The Common Identifier Workgroup is still working to choose a final logo design. Below are five examples of logo styles the workgroup is looking at and working on. All will include a geographical region chosen by each local area. The workgroup is continuing to work together to finalize a logo to share with each of their local boards. The local boards will be meeting is May and June and will have the chance to take a look and give feedback on logo designs.

JUSTIFIED LEFT

KANSASWORKS
WORKFORCE CENTER
Kansas City Metro

CENTERED WITH CITIES

KANSASWORKS
WORKFORCE CENTER
Junction City • Lawrence • Manhattan • Topeka

CENTERED W. GEOGRAPHIC AREA

KANSASWORKS
WORKFORCE CENTER
South Central Kansas

NO WORKFORCE CENTER

KANSASWORKS
KANSAS CITY METRO
Johnson • Leavenworth • Wyandotte

JUSTIFIED RIGHT

KANSASWORKS
WORKFORCE CENTER
Kansas City Metro

Labor Market Conditions
KANSASWORKS State Board Meeting - May 2020
Tyler Tenbrink, Senior Labor Economist
Kansas
Department of Labor

1

Payroll Survey Data
Jobs, Hours, and Earnings
Current Employment Statistics
(CES Program)
Kansas
Department of Labor

2

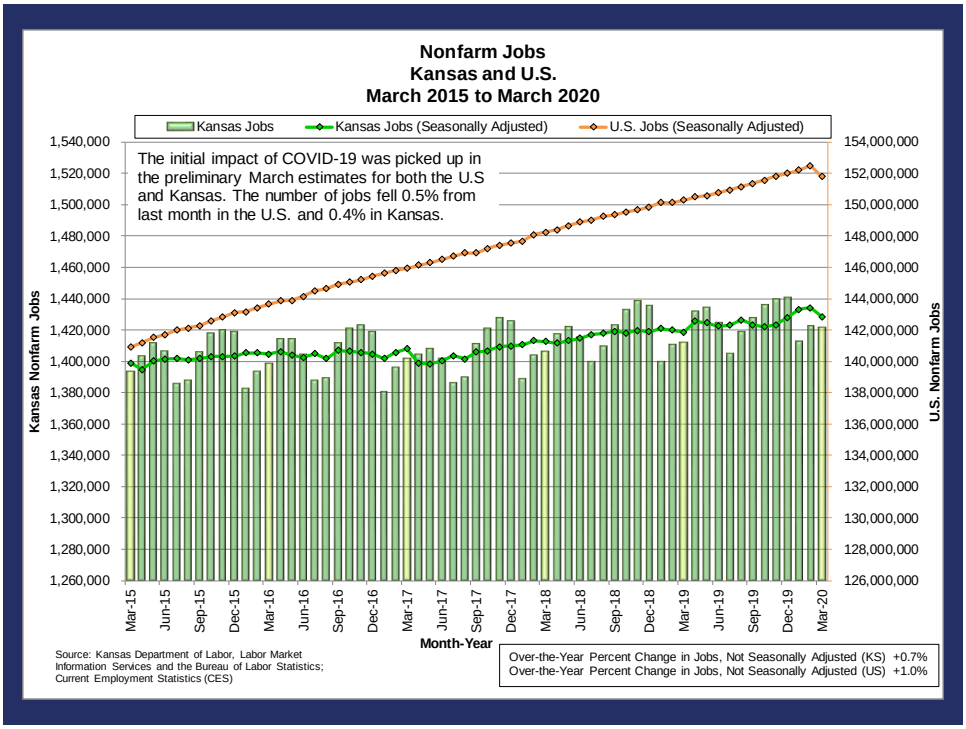
Payroll Survey

Survey of Employers – how many people on the payroll?

Concepts:

- A job is a person on payroll who received pay for any part of the pay period that includes the 12th of the month
- Not included: self employed, volunteer, family workers (not paid), farm workers, military

3



4

March 2020 Not Seasonally Adjusted Nonfarm Jobs

Place of Work Data

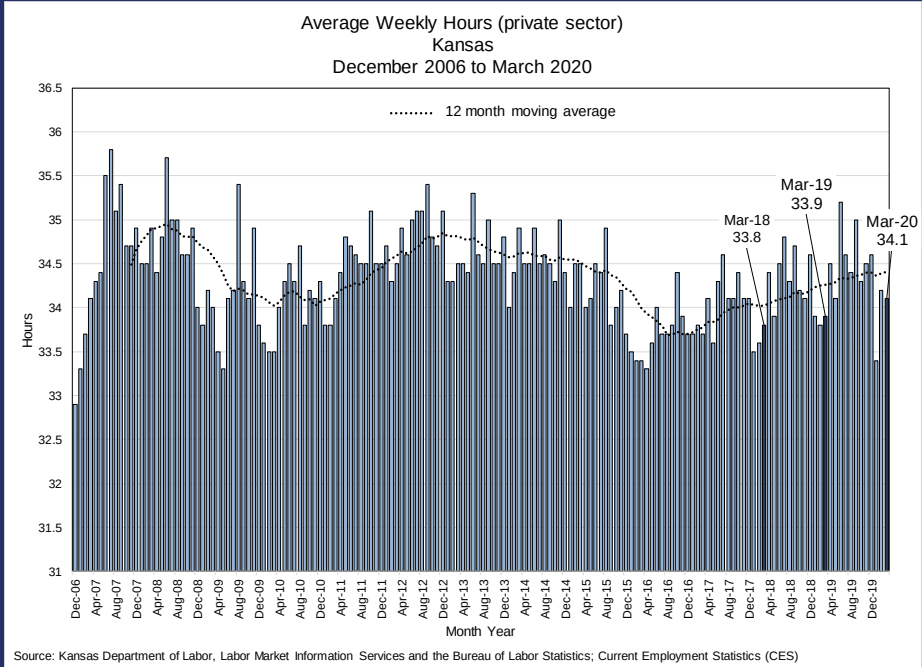
	March 2020	Month Change		12 Month Change	
		Absolute	Percent	Absolute	Percent
TOTAL NONFARM	**1,421,000**	**-1,200**	**-0.1%**	**9,200**	**0.7%**
GOVERNMENT	**266,900**	**1,100**	**0.4%**	**2,600**	**1.0%**
TOTAL PRIVATE	**1,154,100**	**-2,300**	**-0.2%**	**6,600**	**0.6%**
GOODS-PRODUCING	*239,000*	*3,500*	*1.5%*	*4,800*	*2.0%*
Mining and Logging	6,600	0	0.0%	-100	-1.5%
Construction	64,200	2,800	4.6%	2,800	4.6%
Manufacturing	168,200	700	0.4%	2,100	1.3%
PRIVATE SERVICE-PROVIDING	*915,100*	*-5,800*	*-0.6%*	*1,800*	*0.2%*
Trade, Transportation and Utilities	263,700	-400	-0.2%	400	0.2%
Information	17,600	-200	-1.1%	-500	-2.8%
Financial Activities	77,600	-500	-0.6%	1,200	1.6%
Professional and Business Services	176,300	600	0.3%	500	0.3%
Education and Health Services	203,800	-1,600	-0.8%	2,500	1.2%
Leisure and Hospitality	124,600	-3,200	-2.5%	-2,700	-2.1%
Other Services	51,500	-500	-1.0%	400	0.8%

Industries in green added the most jobs over the year, and industries in red lost the most jobs over the year.

Nonfarm job statistics on subsectors will be furnished upon request.

Source: Kansas Department of Labor, Labor Market Information Services and the Bureau of Labor Statistics; Current Employment Statistics (CES)

5



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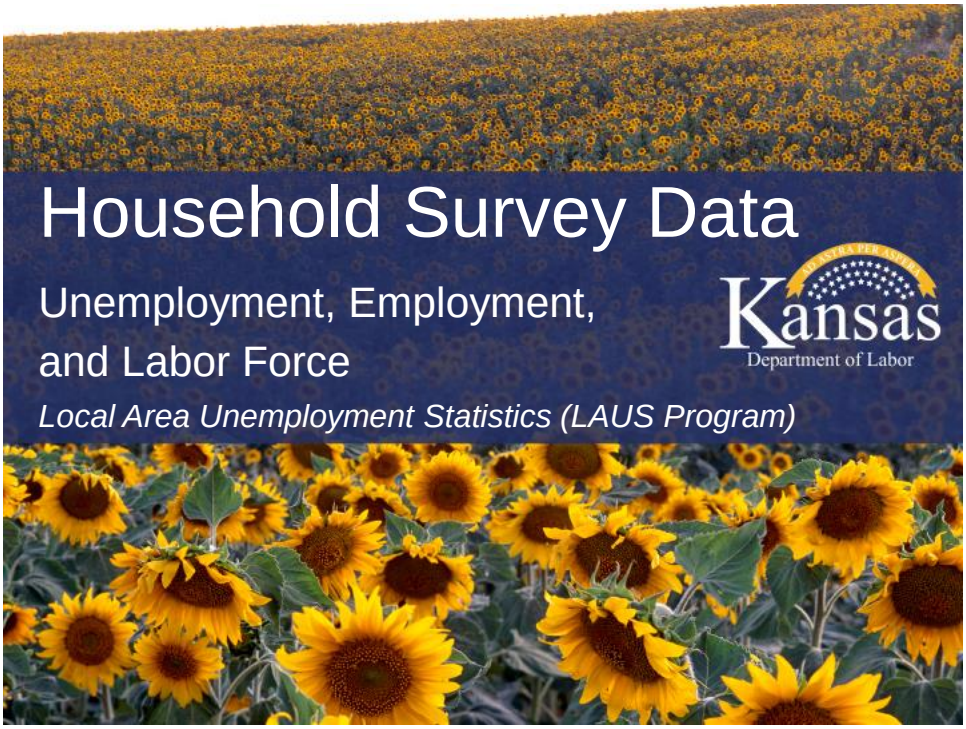


7

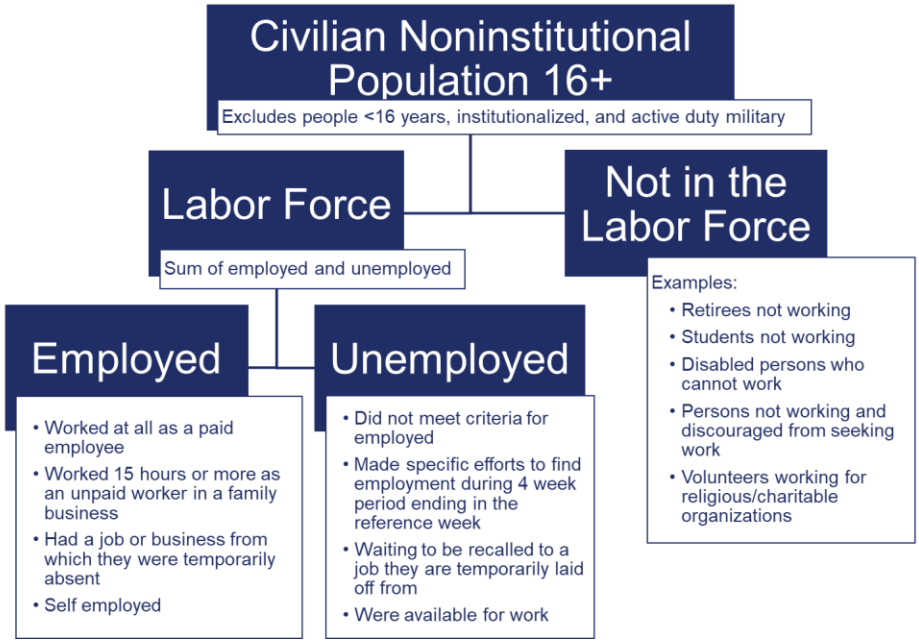
Household Survey

Survey of people at home – are you employed, unemployed, not looking for work?

Concepts:

- Includes only people 16 and over who are not institutionalized or on active military duty
- Employed includes full and part-time workers as well as self employed workers
- Reference week – the calendar week that includes the 12th day of the month

8



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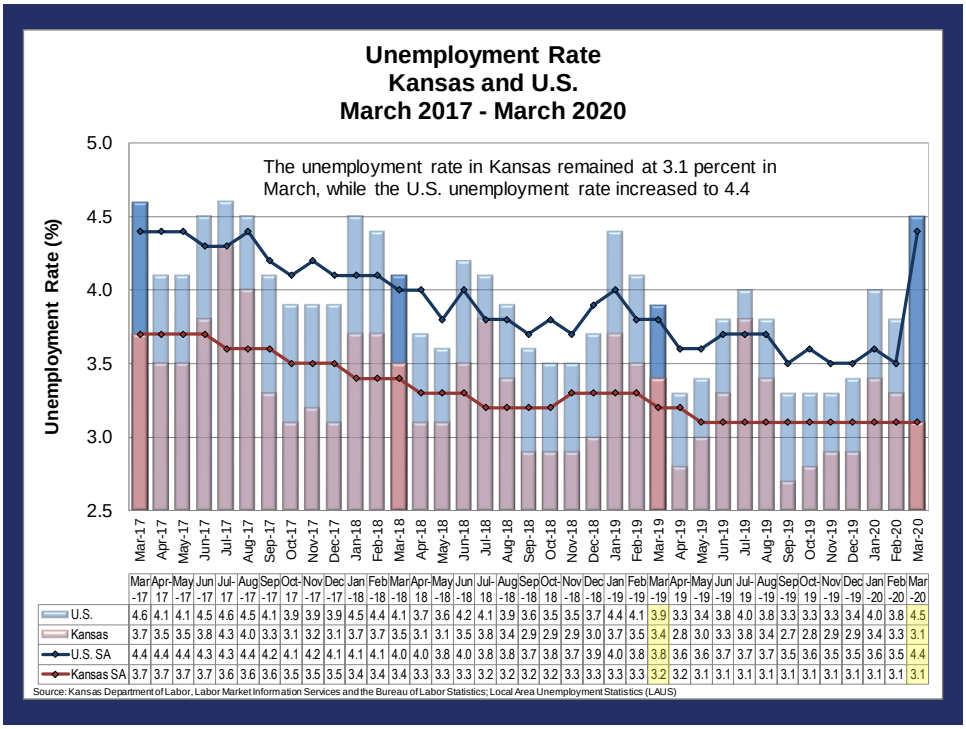


	Mar-17	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Jan-18	Feb-18	Mar-18	Apr-18	May-18	Jun-18	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20
U.S.	4.6	4.1	4.1	4.5	4.6	4.5	4.1	3.9	3.9	3.9	4.5	4.4	4.1	3.7	3.6	4.2	4.1	3.9	3.6	3.5	3.5	3.7	4.4	4.1	3.9	3.3	3.4	3.8	4.0	3.8	3.3	3.3	3.3	3.4	4.0	3.8	4.5
Kansas	3.7	3.5	3.5	3.8	4.3	4.0	3.3	3.1	3.2	3.1	3.7	3.7	3.5	3.1	3.1	3.5	3.8	3.4	2.9	2.9	2.9	3.0	3.7	3.5	3.4	2.8	3.0	3.3	3.8	3.4	2.7	2.8	2.9	2.9	3.4	3.3	3.1
U.S. SA	4.4	4.4	4.4	4.3	4.3	4.4	4.2	4.1	4.2	4.1	4.1	4.1	4.0	4.0	3.8	4.0	3.8	3.8	3.7	3.8	3.7	3.9	4.0	3.8	3.8	3.6	3.6	3.7	3.7	3.7	3.5	3.6	3.5	3.5	3.6	3.5	4.4
Kansas SA	3.7	3.7	3.7	3.7	3.6	3.6	3.6	3.5	3.5	3.5	3.4	3.4	3.4	3.3	3.3	3.3	3.2	3.2	3.2	3.2	3.3	3.3	3.3	3.3	3.2	3.2	3.1	3.1	3.1	3.1	3.1	3.1	3.1	3.1	3.1	3.1	3.1

10

U.S. Bureau of Labor Statistics
April 3, 2020

Table B. Employed people with a job but not at work, March 2016–2020, not seasonally adjusted
(Numbers in thousands)

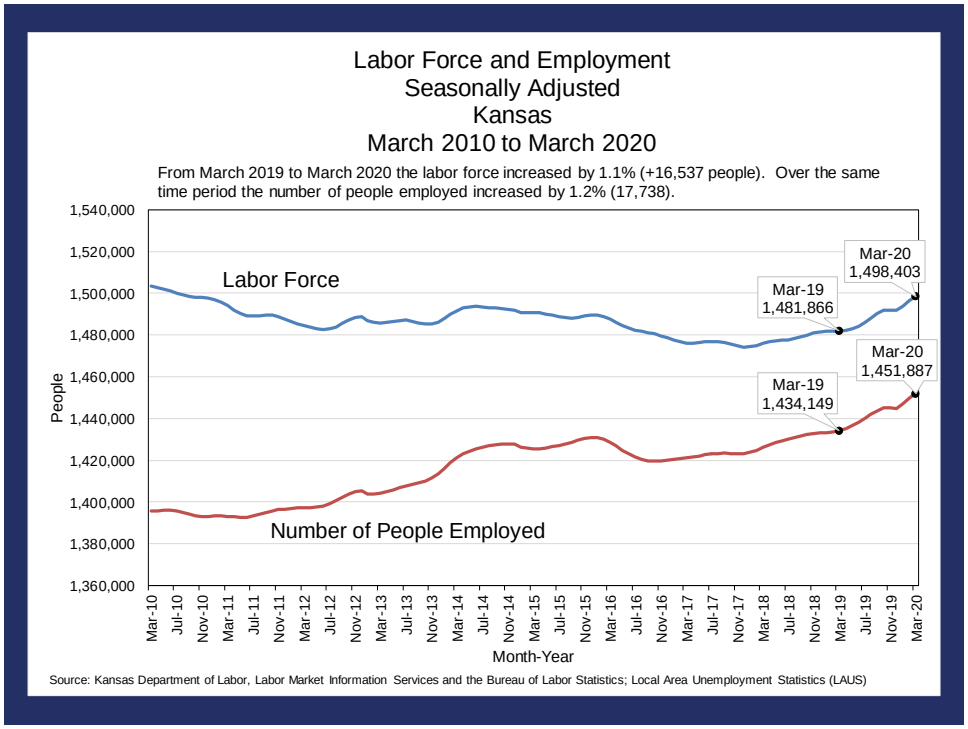
March	Total not at work	Vacation	Own illness, injury, or medical problems	Childcare problems	Other family or personal obligations	Labor dispute	Bad weather	Maternity or paternity leave	School or training	Civic or military duty	Other reasons
2016	4,496	1,845	1,020	27	278	8	224	280	90	11	714
2017	5,573	2,827	1,065	41	273	1	195	324	134	13	701
2018	5,612	2,776	1,098	47	321	4	190	338	114	3	721
2019	5,108	2,505	978	32	303	-	163	333	142	2	650
2020	6,439	2,074	1,340	48	257	6	156	325	94	12	2,126

Note: Dash indicates no data.

12. Household survey: How many workers were misclassified in March?

Other than those who were themselves ill, under quarantine, or self-isolating due to health concerns, people who did not work during the survey reference week (March 8–14) due to efforts to contain the spread of coronavirus (COVID-19) should have been classified as "unemployed on temporary layoff." However, some people who were not at work during the entire reference week were not included in this category. Instead, they were misclassified as employed but not at work. A similar misclassification occurred with federal workers in both the 2013 and 2019 partial federal government shutdowns.

11



12

13

CARES Act and Unemployment Insurance

- BENEFIT 1 - INCREASED UNEMPLOYMENT COMPENSATION BENEFITS
  - This emergency benefit provides most individuals an emergency increase in traditional unemployment insurance benefits of $600 per week through July 31, 2020.
- BENEFIT 2 - PANDEMIC UNEMPLOYMENT ASSISTANCE
  - This emergency benefit provides up to 39 weeks of unemployment insurance benefits to people not otherwise eligible for regular unemployment, including the self-employed and those who have exhausted their regular and extended benefits.
- BENEFIT 3 - PANDEMIC EMERGENCY UNEMPLOYMENT COMPENSATION
  - This benefit provides an additional 13 weeks of emergency unemployment insurance for people who remain unemployed after they have exhausted their traditional unemployment benefits.

14

Kansas
Weekly Initial Claims

INDUSTRY	Week Ending date 1/4/2020	2/15/2020	2/22/2020	2/29/2020	3/7/2020	3/14/2020	3/21/2020	3/28/2020	4/4/2020	4/11/2020	4/18/2020
Total	***1,816***	***1,384***	***1,236***	***1,239***	***1,113***	***1,469***	***21,891***	***49,983***	***45,987***	***29,118***	***29,097***
Agriculture	6	3	6	4	3	1	12	47	83	51	71
Mining	28	30	17	21	20	37	107	237	328	148	97
Utilities	1	-	3	2	2	3	3	7	13	53	17
Construction	517	311	218	291	170	315	866	1,735	2,203	1,083	1,021
Manufacturing	375	334	359	242	282	363	3,506	15,544	6,818	8,551	9,229
Wholesale Trade	35	50	34	39	32	35	195	712	982	686	741
Retail Trade	103	98	83	107	103	95	1,240	4,496	6,505	3,746	2,943
Transportation and Warehousing	72	70	47	61	64	64	1,253	1,451	1,599	689	869
Information	9	18	8	6	15	20	347	403	721	188	227
Finance and Insurance	26	25	23	25	31	32	116	229	380	352	336
Real Estate and Rental and Leasing	31	17	17	16	17	23	262	529	789	494	446
Professional, Scientific, and Technical Services	47	65	69	68	51	38	423	1,112	1,662	789	933
Management of Companies and Enterprises	3	1	3	5	1	8	27	42	54	32	31
Administrative and Waste Services	282	136	118	122	93	93	826	2,251	2,684	1,609	1,748
Educational Services	16	19	16	13	12	33	632	1,010	1,174	615	603
Health Care and Social Assistance	82	105	95	107	91	112	2,910	4,681	6,409	3,245	2,931
Arts, Entertainment and Recreation	19	5	10	7	6	3	932	1,976	1,637	905	1,188
Accommodation and Food Services	111	56	61	38	70	141	7,127	9,130	7,271	3,614	3,298
Other Services (except Public Administration)	21	16	24	27	27	26	1,004	4,159	4,337	1,791	1,957
Public Administration	32	25	25	38	23	27	103	232	338	477	411

Source: Kansas Department of Labor, Labor Market Information Services; Unemployment Insurance Statistics Program

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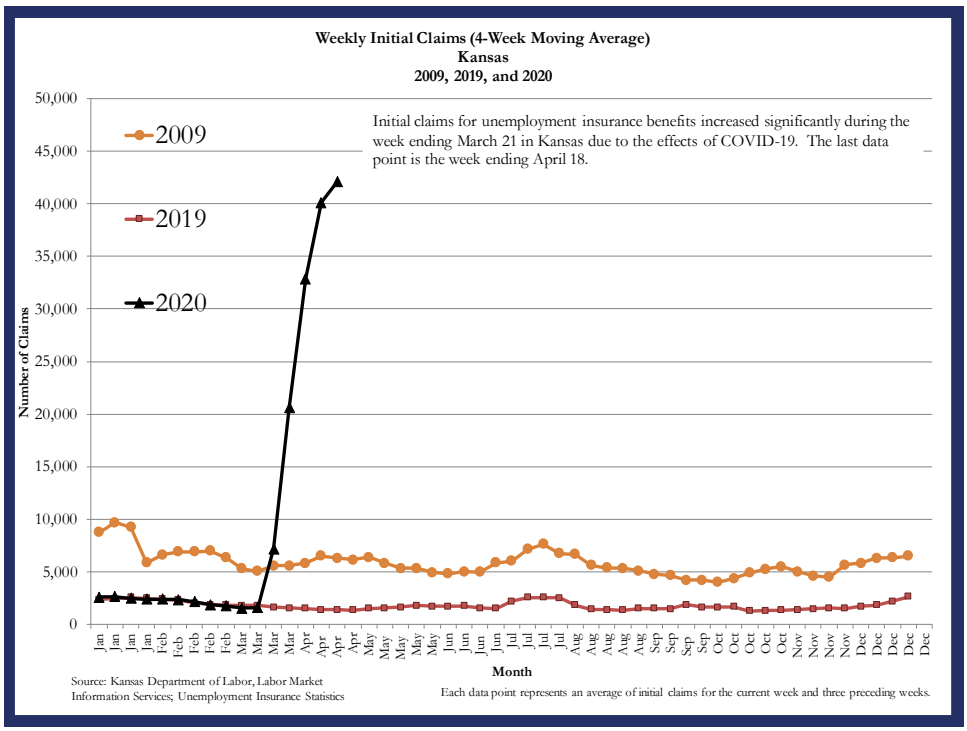

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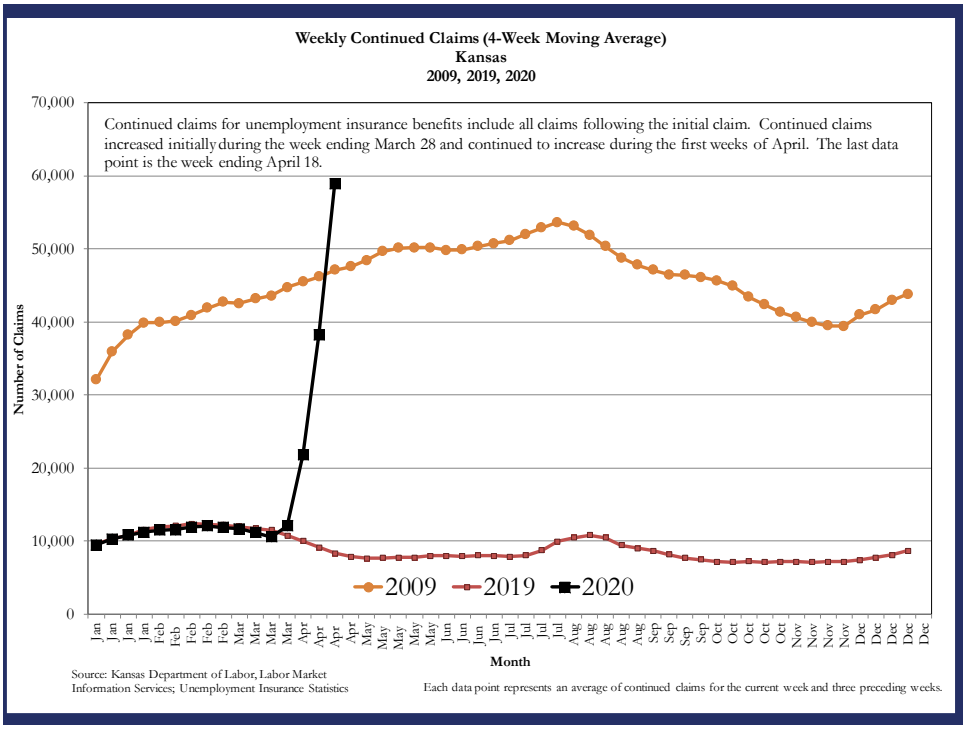
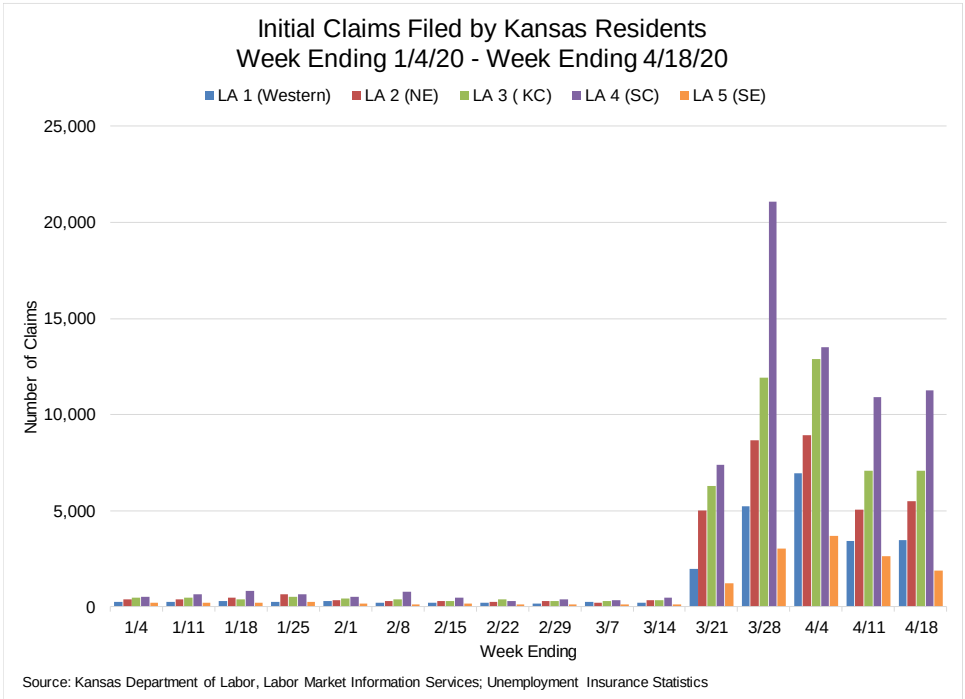

Weekly Continued Claims (4-Week Moving Average)
Kansas
2009, 2019, 2020
Continued claims for unemployment insurance benefits include all claims following the initial claim. Continued claims increased initially during the week ending March 28 and continued to increase during the first weeks of April. The last data point is the week ending April 18.
Number of Claims
70,000
60,000
50,000
40,000
30,000
20,000
10,000
0
2009
2019
2020
Month
Source: Kansas Department of Labor, Labor Market Information Services; Unemployment Insurance Statistics
Each data point represents an average of continued claims for the current week and three preceding weeks.

17


Initial Claims Filed by Kansas Residents
Week Ending 1/4/20 - Week Ending 4/18/20
LA 1 (Western)
LA 2 (NE)
LA 3 (KC)
LA 4 (SC)
LA 5 (SE)
Number of Claims
25,000
20,000
15,000
10,000
5,000
0
1/4
1/11
1/18
1/25
2/1
2/8
2/15
2/22
2/29
3/7
3/14
3/21
3/28
4/4
4/11
4/18
Week Ending
Source: Kansas Department of Labor, Labor Market Information Services; Unemployment Insurance Statistics

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Questions?

Kansas
Department of Labor

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Labor Market Information Services

Tyler Tenbrink
401 SW Topeka Blvd. Topeka Ks 66603
Phone: 785-581-7468
Email: Tyler.Tenbrink@ks.gov
Web: www.dol.ks.gov

Kansas
Department of Labor

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KANSASWORKS State Board
May 6, 2020
FY20 / Quarter 3
Workforce Program Initiatives Summary

KANSASWORKS STATE BOARD STRATEGIC PLAN

Goal 1: Customer Service

1. Empowering Employees to Succeed

- Focus groups – In the early months of 2019, WSU traveled to each of the local areas and met with staff as part of focus groups, targeting frontline employees and partners. The purpose of these sessions was to gain additional information on customer service, empowerment, support in the workplace, and what success looks like for Workforce Professionals. The focus groups also identified the top barriers to customer service as well as best practices.
- Supervisor feedback – As a follow-up to the frontline staff focus groups, WSU conducted phone interviews with Workforce Center Supervisors to get their perspective on customer service. They were asked the same questions as their staff were during the focus groups. The results meetings were included in the overall local and state reports.
- Based on these meetings, WSU recently released a statewide report with overall strengths, opportunities, recommendations and best practices as well as a report mirroring this for each local area. These reports have been shared with each local area. During the last few months of 2019, WSU travelled to the local areas to meet with the Regional Operations Managers, the Executive Directors and the State Operations Director to review the report and discuss next steps for each local area. Each local area determined actions items and a timeline associated with these items. For the past several months, the local areas have been working together on these action items.
- On February 11th, WSU facilitated a meeting with all of the local area Executive Directors, Regional Operation Managers and One-Stop Operators in Emporia to discuss what Excellent Customer Service looks like and to begin the conversation about consistent customer service standards.

2. Obtain Customer Service Input

- Secret Shoppers – The final draft of the 2nd Secret Shopper report is available on the state board website.
- Customer Surveys – Once kiosks have been in the Workforce Centers for a few months, WSU will work with Commerce to analyze the customer service survey results gathered at the kiosks. Then they will utilize a follow-up survey to ask questions that complement the 11 common questions, to dive deeper into their experiences at Workforce Centers. They are also in the process of analyzing all employer surveys and meeting with a taskforce made up of key staff and stake holders from each local area. This taskforce will be working to develop a common employer survey.
- Focus Groups - WSU conducted regional focus groups of job seekers in each local area that are co-enrolled in multiple Workforce Innovation and Opportunity Act programs. The information gathered from these groups is available in a report.

3. Determine Best Practices

- WSU will provide research on how other local areas, states and regions are approaching customer service, professional development of staff, and other challenges to identify best practices relevant to the State of Kansas.

Goal 2: Performance Accountability and Transparency

Objective 2.1: Reports with Meaningful Outcomes: Obtain and report meaningful outcomes that are evaluated on a continuous quarterly basis.

- A Dashboard Report is posted on the State Board website for review by State Board members.

Objective 2.2: Reporting Compliance and Value: SWB will review reports that show WIOA performance compliance as well as overall value of the workforce system

- WIOA performance reports for PY 2019 have three quarters of data.

- Compliance with WIOA measures are shown on page 2 of the Dashboard Report.
- Workforce system value is shown on page 7 of the Dashboard Report.

Objective 2.3: Examining Local Area and State-Wide Outcomes: Examine both local and state outcomes that include effective stewardship of all funds on a continuous basis

- Both program and expenditure data are included in the Dashboard Report.
- Participant expenditure data is listed by local area on page 4 of the Dashboard Report.

Objective 2.4: Excellent Customer Service Across All Core Partners: Establish customer service excellence across all core partners

- Customer Service Kiosk data is now being collected at all workforce centers across the State.
- Customer Service Kiosk data is shown on page 6 of the Dashboard report.

Objective 2.5: Measuring KWSB Performance and Effectiveness: Measure SWB performance and effectiveness

- SWB members are encouraged to explore opportunities for self-evaluation of the SWB and evaluate how SWB decisions impact the workforce programs in Kansas.

Goal 3: System Messaging and Awareness

Objective 3.1 Roll-out of Common Brand across the System:

- Alex Rice, Kansas Department of Commerce Director of Marketing, presented information regarding the need for a common brand and messaging to the Local Area Board Chairs in September and during the **KANSAS**WORKS State Board meeting on November 6, 2019. It was discussed that the Common Identifier Workgroup would convene to begin the process of policy revisions and a new brand standards manual.

- The Workgroup met in January and made significant progress in decisions regarding goals and next steps that was presented by Mike Beene during the January 23 State Board Meeting.

- The Workgroup convened again prior to the May 6 State Board Meeting and again made significant progress to this effort. The Workgroup will be sharing sample logos, typography and color palettes with the State Board during the May 6 State Board Meeting. All of the materials still must be shared with the Local Board Committees during the coming months for approval as well.

Objective 3.2 Obtain understanding of KS Awareness about the system: Put together a state-side workgroup to develop messaging in conjunction with the roll-out of common brand, which will be helpful to the Common Identifier Workgroup as they continue their work to brand the system and **KANSAS**WORKS.

Objective 3.3 Align & Strengthen State & Local Partners' Communication: This work to coincide with each of the objectives to ensure messaging and outreach is cohesive.

• Partners are asked to contribute to the quarterly **KANSAS**WORKS Newsletter

Objective 3.4 Effectively message system performance to display value of system: in January 2019, staff began to research how other states share performance information.

Goal 4: Technology Integration

Objective 4.1 The **KANSAS**WORKS.com feedback survey went live at the end of February. The survey is targeted to job seekers, employers and eligible training providers, and gathers feedback on the individual's experience with the website. From January to March 2020, 3,792 responses were received.

The state's case management system vendor, America's Job Link has undertaken a deep dive into the user experience by visiting consortium states and meeting with users from across the spectrum – case managers, job seekers, employers, and eligible training providers. The feedback they have gathered is being incorporated into the **KANSAS**WORKS.com redesign scheduled to launch in late 2020.

Objective 4.1 The kiosks are active in 19 Workforce Centers across the state.

Objective 4.2 Modifications to ReEmployKS have gone through testing and have been deployed to the live ReEmployKS site. Staff training to begin in early Q3 2020.

Objective 4.4 Local Area IV has released an RFP on behalf of Local Area's II, III, IV and V for adaptive equipment (including installation and training). They are currently awaiting responses.

KANSASWORKS State Board
May 6, 2020
FY20 / Quarter 3
Workforce Program Initiatives Summary

PROGRAM SUMMARY UPDATES

KANSAS HEALTH PROFESSION OPPORTUNITY PROJECT (KHPOP)

The Kansas Health Profession Opportunity Project's (KHPOP) mission is to provide healthcare training and employment opportunities for individuals facing barriers to finding well-paying jobs, leading to self-sufficiency. It is administered through the workforce centers in Kansas.

For the full five-year grant period, the total projected participants are 2,000. KHPOP is in year five of the five-year grant and currently has 1,848 participants enrolled. There have been 1,369 Healthcare Training Completions and 670 participants have been employed in healthcare. We are at 92% of our enrollment goal, 100% of our healthcare training completions and at 100% employed in healthcare goals.

WORK OPPORTUNITY TAX CREDIT (WOTC)

The Work Opportunity Tax Credit (WOTC) program is a Federal tax credit available to employers for hiring individuals from certain target groups who have consistently faced significant barriers to employment. This allows the individual to move from economic dependency into self-sufficiency as they earn a steady income and become contributing taxpayers. An employer can receive a federal tax credit that varies between the amounts of $2,400 to $9,600 per applicant.

In the second quarter of FY2020, 9,979 **new** certification requests were received, resulting in 1,479 eligible for tax credits. 2,481 requests were denied. This is a federal tax savings to Kansas businesses of almost $4 million. The largest numbers of workers certified as eligible were recipients of Supplemental Nutrition Assistance Program (SNAP), followed by Rural Renewal County, Ex-felons, Unemployed Veterans, and Temporary Assistance for Needy Families (TANF).

The average tax credit per certification to the employer is $2,809.60.

FEDERAL BONDING

The Federal Bonding program provides individual fidelity bonds to employers for job applicants who are or may be denied coverage by commercial carriers. The Federal Bonding program is a unique hiring incentive tool that targets individuals whose backgrounds can pose significant barriers to securing or retaining employment. Job candidates benefit because they are provided a second chance to prove themselves as valuable employees. Employers benefit because they provide an avenue to hire skilled job candidates who might not be hired due to their ineligibility for bond coverage.

In the second quarter of FY2020, one employer inquired about information on the Federal Bonding program. One bond was distributed for $5,000 for a total of $5,000 issued by the Kansas Department of Commerce.

REEMPLOYMENT SERVICES AND ELIGIBILITY ASSESSMENT (RESEA)

Reemployment Services and Eligibility Assessment (RESEA) is a collaboration between the Kansas Department of Commerce and the Kansas Department of Labor. The goals of RESEA are to shorten the number of weeks Unemployment Insurance (UI) benefits are claimed, prevent and detect UI overpayments, decrease the likelihood of claimants exhausting UI benefits, cost savings to the UI trust fund and rapid reemployment for UI claimants.

RESEA is provided in sixteen Job Centers around the state. There are twelve grant-funded positions located at four Job Centers. Wagner-Peyser funded staff provides RESEA services in offices that do not have dedicated staff. From January to March 2020, there were 2,155 UI claimants scheduled for RESEA services. Claimants scheduled for RESEA are required to report to a workforce center as a condition to receiving UI benefits.

MY (RE)EMPLOYMENT
Beginning April 2018, a new collaboration between the Kansas Departments of Commerce and Department of Labor and **KANSAS**WORKS Workforce System began providing enhanced reemployment services to Kansans who are unemployed and looking for work. The program, called "My (Re)Employment Plan" connects unemployment recipients at the midpoint of their claim with workforce service professionals in their area.

Individuals scheduled for My (Re)Employment Plan are provided, free of charge, personalized job search assistance, including:

- Creation of a "My (Re)Employment" Plan that focuses on goals and accountability.
- Skills assessment to match interests and skills with occupations.
- Resume, interview, and networking assistance.
- Labor market information highlighting current in-demand jobs.

My (Re)Employment utilizes existing funding received from the United States Department of Labor and is provided in 21 locations across the state. From January to March 2020, approximately 1,419 claimants were scheduled for My (Re)Employment services.

Studies have shown that the longer a person is unemployed, the harder it is to get back to work. Instead of waiting until the end of their entitlement to benefits, recipients will be guided to make a planned approach toward getting a new job that emphasizes personal responsibility.

TRADE ADJUSTMENT ASSISTANCE PROGRAM (TAA)
The Trade Adjustment Assistance (TAA) Program is a federal entitlement program that assists U.S. workers who have lost or may lose their job because of foreign trade. TAA seeks to provide adversely affected workers opportunities to obtain the skills, credentials, resources, and support necessary to become reemployed.

A petition is filed with United States Department of Labor (USDOL) on behalf of a group of workers. If certified, the petition identifies the eligible worker group within a specific firm or subdivision. Benefits and services are then provided to the workers. These benefits include reemployment and case management services, classroom training, on-the-job training, customized training, apprenticeship programs, income support during full time training, out of area job search, relocation, Health Coverage Tax Credit and a wage subsidy, for older workers. The TAA unit works closely with Kansas Department of Labor (KDOL) in determining initial eligibility and throughout their enrollment in services.

The TAA unit diligently searches to identify potential trade impacted companies in order to assist adversely affected workers. The TAA unit is eager to present information to community meetings as outreach, to ensure awareness of the program and benefits.

Kansas TAA transitioned to a paperless process in October 2019. TAA trainings were held in preparation of the transition and the process proved invaluable when the coronavirus outbreak prompted administrative office and case managers to work from home.

Prior to the coronavirus outbreak, grounding of the Boeing 737 Max airliner had dire effect on Spirit AeroSystems in Wichita that produces the fuselage of that aircraft. Spirit and associated companies laid off more than 6,000 employees due to stoppage of production of the 737 Max. Workers from these companies were certified by the United States Department of Labor to receive TAA benefits. Information meetings and services were being planned for those workers.

An additional petition was certified in Parsons and multiple petitions were filed for companies across Kansas, such as Kansas City, Lenexa, Olathe, Atchison, Leavenworth, Hutchinson, Fort Scott, Harper, Wellington and Emporia.

FOREIGN LABOR CERTIFICATION
H-2A Temporary Agricultural Program
H-2B Temporary Non-Agricultural Program

H-2A is the temporary agricultural program which allows agricultural employers who anticipate a shortage of domestic workers to bring nonimmigrant foreign works to the U.S. to perform agricultural labor or services of temporary or seasonal nature. Employment is of a seasonal nature where it is tied to certain times of year by an event or pattern, such as a short annual growing cycle, and requires labor levels above what is necessary for ongoing operations. Employment is of a temporary nature when the employer's need to fill the position with a temporary worker will, except in extraordinary circumstances, last no longer than one year.

H-2A enrollments per local area:

Local Area I	94 Enrollments
Local Area II	16 Enrollments
Local Area III	1 Enrollments
Local Area IV	1 Enrollments
Local Area V	3 Enrollments
To-Date Thru 12/31/19	115 Enrollments

Housing Inspections for this quarter is 158. Worker positions for this quarter is 542.

H-2B is the temporary non-agricultural program which allows U.S. employers who meet specific regulatory requirements to bring foreign nonimmigrant workers to the United States to fill temporary nonagricultural jobs. Before requesting H-2B classification from the U.S. Citizenship and Immigration Services (USCIS), the employer must apply for and receive a temporary labor certification for H-2B workers from the U.S. Department of Labor (DOL) or (Guam DOL if the employment will be in Guam).

H-2B / 45 job orders were processed for this quarter.

JOBS FOR VETERANS GRANT (JVSG)

The Jobs for Veterans Grant (JVSG) continues to work directly with the military installations of Fort Leavenworth, Fort Riley, McConnell Air Force Base and Forbes Field. This overview provides a snapshot of **KANSAS**WORKS veteran employment representative outreach across Kansas. JVSG staff continue to attend SHRM, Chamber of Commerce meetings, Veterans attending Colleges, Universities', Technical colleges, Native American Indian Reservations and other non-profit entities targeting veterans within Kansas to promote Workforce Center Services across Kansas ensuring that veterans, transitioning service members and military spouses are aware of services providing them "Priority of Service" at one of the workforce center locations.

Veterans served in the Workforce Centers During the quarter, **1,052** veterans were served within the workforce centers with 664 receiving further assistance by Disabled Veteran Outreach Program Specialists (DVOP) based on significant barriers to employment. This assistance consisted of customized resume assistance and/or review, workshops, and basic employable skills needed for each individual veteran's needs. Additionally, **153** Employer contacts were made by Veteran Employment Representatives, with **195** veterans gaining employment, **459** of those Veterans were provided individual career services by JVSG staff this quarter.

Heroes Make America a Manufacturing Institute pilot program which is a full-time, 10-week career skills program, that launched in partnership with the U.S. Army Soldier for Life – Transition Assistance Program at Fort Riley, **KANSAS**WORKS, K-State University and the USO Pathfinder Program at Fort Riley. The Manufacturing Institute created the Heroes Make America program to build a pipeline from military to manufacturing careers for transitioning service members. Participants earn many certifications to include 14 college credits, 9 industry-specific certifications, a CPT Plus Certificate, and a Certificate of Competition from the Manufacturing Institute. Individual military members and family members that complete the course will receive a Production Technician Certification The students also complete a personal finance course, Strengths Finder Assessment, resume and cover letter review, and receive interview prep. A major advantage of the program is several manufacturing plants tours, networking opportunities, and live interviews.

Since its inception this program has had **137** soldiers attend with **125** interviews with local and regional Kansas employers, of those **56** soldiers have transitioned and remained in Kansas for employment and residency.

KANSASWORKS **Partnership with Military OneSource** is a Department of Defense-funded program that's both a 24/7/365 call center and a website providing comprehensive information, resources and assistance on every aspect of military life, at no cost. Service members and the immediate family of active duty, National Guard and Reserve (regardless of activation status), can access Military OneSource up to 365 days post separation or retirement. All calls made to Military OneSource consultants are then referred to **KANSAS**WORKS staff, whom assists the client in locating employment in various locations within Kansas.

During the quarter, **2** Military Spouses and **1** Transitioning Servicemember currently all three are at overseas locations being aided by Workforce Center staff in relocation and employment services.

KANSASWORKS **Partnership with Fort Leavenworth and Military OneSource Directive** During the quarter the State Veterans Employment Manager, Regional Operations Manager for LWDB III met with the Directorate of Plans, Training, Mobilization and Security (DPTMS), Soldier-for-Life, Army Community Services and Fort Leavenworth Public Affairs Office. The discussion revolved around Transitioning Service Members and military spouses' employment with the area, a directive from the Army Chief of Staff directed Fort Leavenworth to participate in a pilot program with the assistance of **KANSAS**WORKS staff and the installation. Commerce has posted a position to fill this gap and assist with this program and Soldier for Life Transition Assistance Program (SFL-TAP). Additionally, the installation and Commerce are drafting a MOU to house a Veteran Employment Representative permanently on Fort Leavenworth.

Hilton Honors Military Program is aimed at giving back to Veterans, military service personnel and their spouses. In partnership with the National Association of State Workforce Agencies (NASWA) and the Kansas Department of Commerce/JVSG, Hilton Honors is donating points to eligible transitioning service members, Veterans, and military spouses. By becoming an Honors Military member, the Veteran and eligible individuals will receive a 100,000-point donation to support travel related to their job-search activities.

For this quarter, Kansas enrolled **15** eligible clients to take advantage of this program so that may be able to stay free or a reduced rate throughout Hiltons across the country. Workforce Staff also promote this program for the entire state of Kansas based on the locality and employment opportunities in Kansas, of the **15** eligible clients **11** are remaining in Kansas. Additionally, with this program we have seen an influx of more servicemembers and families remaining in Kansas.

Kansas Employment Exploration Program (KEEP Veterans Here) The Kansas Employment Exploration Program was designed to give transitioning Soldiers the opportunity to visit communities and employers around the state of Kansas to see what employment opportunities are available for them and their family members. The program is sponsor by the Soldier for Life Transition Assistance Program at Fort Riley, Kansas. The tour went to Salina on 28 February 2020 meeting with the Salina Chamber and local businesses.

REGISTERED APPRENTICESHIP

During the Quarter Kansas Registered Apprenticeship Specialist participated in a virtual Registered Apprenticeship training covering Standards Development, Work Processes and the use of RAPIDS, as well we as utilize on-line training modules. The Registered Apprenticeship Specialist had meetings with representatives from area industry, unions, Community Colleges and USD's to share the benefits and program structure of Registered Apprenticeships i.e. application process, current openings, and program/RTI details. Flint Hills Tech is working to finalize a CDL Registered Apprenticeship program. A few USD's in the State are considering taking on sponsorship for Youth Registered Apprenticeship opportunities.

Plumbers & Pipefitters Registered Apprenticeship program are working towards finalizing a new application process that would allow jobseekers to apply more frequently. Kuhn Mechanical held a public launch at Cowley College of their Plumber Registered Apprenticeship.

Registered Apprenticeship Specialist continue to expand the recruitment of new sponsors, development on new programs, screening and enrollment of registered apprentices. Additionally, RA Sponsors who enroll their apprentices in **KANSAS**WORKS continue to be reimbursed a portion of the cost of the Related Technical Instruction for each apprentice enrolled through this project utilizing Registered Apprenticeship grant funding.

Kansas Department of Commerce continues partnering with Kansas Department of Education with the intention of building Youth Registered Apprenticeship opportunities within the state. Kansas Department of Commerce is participating in a Work Base Learning (WBL) Professional Development Training series in efforts to increase the understanding of the Youth Registered Apprenticeship program guidelines and processes. Youth Registered Apprenticeship is a work-based learning opportunity that will give students both academic and workplace skills that can lead to post-secondary education opportunities and careers. Youth Registered Apprentices will receive paid on-the-job training along with job-related technical instruction that also supports meeting high school graduations requirements.

Interest in Registered Apprenticeship has continued to rapidly increase throughout the state. Each local area continues to participate in presentations & roundtable sessions connecting with education, business and industry for additional Registered Apprenticeship opportunities. (Currently, Specialist are having these meeting through Virtual meeting and Conference Calls.)

Registered Apprenticeship continues to provide employers an opportunity to build a structured training system that allows employers to grow their own, a system that helps meet workforce and retention needs.

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP)

The third quarter of PY19 ended with 6 additional placements in unsubsidized employment bringing us to a total of 20 for the year. With this trend upward from the previous quarter, the program is on track to match or surpass PY18's record of 24 unsubsidized placements. However, there is a high likelihood this could be impeded by the slowdown caused by the COVID-19 outbreak.

PY19/3rd Quarter was on track to make gains on new participants coming into the program as the sub- grantee began to grow a substantial waiting list. This provided a much quicker turnaround once a participant was exited, but nearly the entire month of March was lost to COVID-19 quarantine, which has extended into May 2020. Efforts have been underway to continue outreach as well as complete intakes for incoming referrals, but lack of access to internet as well as limited technology skills for the SCSEP population are serious impediments to this process. **Staff contacted each participant at the beginning of the stay-at-home order and found that only 15 out of the current 70 participants have a computer and internet.** Additionally, the closures of many of our host agency partners as well as self-imposed limits on accepting volunteer help are creating major barriers to placement opportunities for new participants.

Core measures show positive growth and sustained achievement of goals or sanction levels. Employment follow-ups and outcomes continue to exceed goals. This continues to reflect efforts made by staff in supporting job search and employment goals as well as appropriate placements with SCSEP host agencies. Community Service Assignment hours has been an area of struggle due to large turnovers in participants but is still close to goal. This will likely take the hardest hit due to the COVID-19 shutdown with little time to make up for losses before end of PY19 QTR 4.

Older Kansans Employment Program

As with many programs, which are operated by non-profit agencies across the state, OKEP offices have been shuttered due to varying stay-at-home orders. Most of these organizations continue to provide services by telephone but have reduced capacity for reporting. Data should be available by the end of the next quarter.

Kansas RETAIN – Retaining Employment and Talent After Injury/Illness Network

In September 2018, the Kansas Department of Commerce, in partnership with the Workforce Alliance of South-Central Kansas, the Kansas Department of Health and Environment, and the Susan B. Allen (SBA) Memorial Hospital in Butler

County, was awarded nearly $2 Million for a RETAIN Phase I planning grant from the US Department of Labor. This demonstration project will test the impact of early intervention strategies that improve stay-at-work/return-to-work (SAW/RTW) outcomes of individuals, living or working in Butler County, who experience a debilitating injury or illness while employed. The project will address both on-the-job and off-the-job injuries and illnesses. Central to this project is the early coordination of health care and employment-related supports and services to help injured or ill workers remain in the workforce. The Kansas RETAIN Project has been branded **RETAINWOR*KS***.

- The Kansas Department of Commerce has received a one-year grant extension from USDOL/ODEP, extending the period of performance through March 30, 2021.
- There are currently 42 participants enrolled (34 Treatment, 8 control) with referrals from more than 20 medical providers.
- The RETAIN Medical System Partner is changing from Susan B. Allen Memorial Hospital to Ascension Via Christi – Wichita beginning April 2020 through March 30, 2021.

WORKFORCE/CORRECTIONS INITIATIVES

Alternative Workforce Specialist serves as the liaison between Kansas Dept. of Commerce and Kansas Dept. of Corrections to work Statewide at increasing opportunities for individuals involved in the criminal justice system to rejoin the workforce in sustainable living wage employment. Statewide involvement in initiatives this quarter includes:

1) Career planning with Certified graduates of the Washburn Tech program at Kansas Juvenile Correctional Facility (KJCC),
2) Serving as co-chair of a subcommittee of the Community Health Improvement Project in Wyandotte County through the Wyandotte Economic Development Council to strategize on decreasing barriers for individuals with criminal history to rejoin the workforce,
3) Meeting with Dept. of Corrections Executive Director of Programs and Risk Reduction to discuss goals and connections needed to foster employment for individuals both inside and exiting the correctional facilities,
4) Training for workforce professionals and partner agencies on employment support specific to individuals involved in the justice system,

Data for students in the Washburn Tech Program at KJCC:

	Unique Students	Credit Hours Enrolled	Credit Hours Completed	Credentials Earned	OJT Students
Summer 2018	44	355	334	47	7
Fall 2018	100	1307	1257	145	9
Spring 2019	120	1098	1059	213	6
Summer 2019	89	436	424	37	7
Fall 2019	117	1261	1174	141	7

KANSAS BOARD OF REGENTS

Kansas adult education providers have moved their coursework to an online format, and students are continuing to progress toward their education goals. Adult education state staff have been working with TABE (Test for Adult Basic Education) and GED Testing Service® to facilitate online proctoring options for students to pre- and post-test and take their high school equivalency test. TABE is expected to release options for online proctoring by the end of April, with the GED projected to be available sometime in May. Staff will be reviewing the current assessment policy to adjust accordingly.

Twenty-one adult education providers submitted proposals to serve adult education students over the next WIOA grant period. The state review committee is evaluating the proposals and will identify selected providers in May.