
From: [REDACTED] on behalf of Russel Cheng [REDACTED]
Sent: Thursday, June 23, 2016 4:46 PM
To: DLIR.Workforce.Council
Cc: Alison P M Lum
Subject: Re: New ETP Policy Open for Public Comment until June 23, 2016

Thank you for allowing us to comment on the new ETP policy. Nearly all of the new policies are positive and welcome by DevLeague. Below are some comments related to WIOA and non-WIOA participant tracking, taxes and the continued emphasis on college learning versus career pathway learning.

New ETP Policy Open for Public Comment until June 23, 2016

ETPL Performance Reports

A. Performance Data Submitted by the Training Provider

Training providers must annually submit the following levels of performance achieved by all students in all programs on the ETPL for public distribution. Data must include all WIOA and non-WIOA students who participated in each training program [WIOA Section 116(d)]:

DevLeague comments:

This clause requires the Training Provider to report on ALL employment outcomes both in WIOA and non-WIOA participants. Non-WIOA participants should not be included because it places an undue tracking burden of Non-WIOA participants on the Training Provider. For example DevLeague may have one WIOA student in a cohort, and 12 Non-WIOA students in the same cohort. Providing a dataset on the entire cohort has no benefit to the Non-WIOA students and adds more work to the Training Provider.

P-Card or Purchase Orders The WDD will issue either a P-card number, which is a government issued credit card or a purchase order number via facsimile, which the provider shall accept in order to receive payment for a course in which an individual completed their training course.

DevLeague comments:

Fax machine? We can do better than this with digital signatures, PDF and email.

Overall comments about degrees, credentials and accreditation:

The traditional notion of requiring college degrees, credentials and accreditation may initially exclude new educational programs such as coding boot camps like DevLeague. Mentorship and project-based learning are key drivers of our business success versus traditional university education, particularly in the fast-moving software development and technology skills.

Mahalo!

Russel

On Wed, Jun 15, 2016 at 2:18 PM, OWIB <OWIB@honolulu.gov> wrote:

Dear Valued ETP Provider,

We would like to bring to your attention that the State's Workforce Development Council at the Division of Labor and Industrial Relations has posted a draft of the new Workforce Innovation and Opportunity Act (WIOA) Eligible Training Provider (ETP) Policies & Procedures on their website.

It is open for public comment and we encourage you, as a current ETP Provider, to review this document and submit your comments.

A pdf of the document can be accessed here:

<https://labor.hawaii.gov/wdc/files/2013/01/Hawaii-ETP-Policies-Proced-DRAFT-6-8-16-PUBLIC-CR-1.pdf>

Please submit your comments in an email to dlir.workforce.council@hawaii.gov by June 23, 2016. If you would like Oahu Workforce Development Board to be aware of your comments/suggestions, please feel free to copy owib@honolulu.gov.

Thank you,

Oahu Workforce Development Board

--

=====

Russel Cheng

Co-founder, Dev League LLC

[REDACTED]

Get your career start as a web software developer in 12 weeks. <http://www.devleague.com/#apply>

From: Arima, Michelle L. [REDACTED]
Sent: Thursday, June 23, 2016 3:12 PM
To: DLIR.Workforce.Council
Cc: tasaka, allicyn h; sakamoto, linda y; OHCD Workforce Inv Act Section; David S. De Luz Jr. [REDACTED]
Subject: Comments for WIOA ETPL Policies and Procedures

Comments and Recommendations regarding State of Hawaii Workforce Innovation and Opportunity Act Eligible Training Provider List Policies and Procedures:

Page 9 Section III B.8. The Local Board shall provide a written notice of determination of acceptance or rejection of an initial application to an applying entity within thirty (30) calendar days of the receipt of the completed initial eligibility determination application.

COMMENT: Hawai'i County's Workforce Development Board meetings are scheduled to be held quarterly. Is it possible to increase the time frame from 30 calendar days to quarterly or 90 business days in order to accommodate the existing Board schedule and Sunshine Law Requirements? Also, quorum needs to be taken into account.

Page 14 Section D4 The language for "additional insured" includes only the State.

COMMENT: We are requesting verbiage to be; "State of Hawaii, the City & County of Honolulu, the County of Maui, the County of Hawai'i and the County of Kauai including all of its Boards, departments and attached agencies their officers, employees' and agents are named as additional insured, as respects the named insured's activities on their behalf."

Page 14 Section IV D.7. Enter into data-exchange agreement with the Department of Labor and Industrial Relations/Unemployment Insurance/Research & Statistics so that employment-after-exit and median wage data can be verified as required under WIOA. The agreement will also cover the privacy of Personally Identifiable Information (PII) in Student Data and wage records.

COMMENT: How will the agreement cover privacy issues, there are concerns with the sharing of personal information? Please clarify.

Page 15 Section IV D.12. a. Provide information on whether the provider is in a partnership with business, including information about the quality and quantity of employer partnerships

COMMENT: What information will they specifically be including and how will they be reporting this? Please provide further information on how quality of the employer partnerships will be measured.

Page 15 Section IV D.12. e. Meet the needs of local employers and participants

COMMENT: Please define employer's needs and provide clarification as to how those needs are required to be met.

NOTE: There are formatting/spacing issues with the bullets on d.

Page 16 Section IV E. 6. Has a mechanism to track students' participation in the ETPL training program.

COMMENT: Recommending a standardized form or reporting tool created at the state level in order for all the ETPLs to have standardized reporting information.

Page 17 Section IV F.1. Information reported to state agencies on federal and state training programs other than those provided under WIOA.

COMMENT: What particular information should be reported to state agencies on federal and state training programs other than those provided under WIOA?

Page 18 Section VI A. Performance Data Submitted by the Training Provider

COMMENT: This whole Performance Data Requirements section makes it extremely difficult to recruit ETPs. Many do not have the case management staff needed to track performance of ALL students. We are requesting a waiver.

Page 20 Section VII A.3. The training program does not result in a federally or locally recognized credential.

COMMENT: Please define locally recognized credentials – does it include State as well as County?

Page 22 Section IX A. Administrative Reconsideration

COMMENT: Hawaii County's Workforce Development Board meetings are scheduled to be held quarterly. Is it possible to increase the time frame from 30 calendar days to quarterly or 90 business days in order to accommodate the existing Board schedule and Sunshine Law Requirements for posting agendas? What happened if we are unable to obtain quorum?

Page 24 Section X Billing and Payment Procedures Local Boards that contract WDD as the service provider for the Adult and DW programs are required to follow these procedures when working with training providers.

COMMENT: Our local area selected to competitively procure Adult and Dislocated Worker programs. There is no guarantee who will be the future provider – what is the procedure for the other entity(s) that are not WDD?

Page 26 Section X B.4. Monitoring training providers for compliance and performance.

COMMENT: Recommend guidelines and forms be provided by WDC.

Page 27 Section XI B.11. Issuing written notices of acceptance or rejection of an initial application to applying entities within thirty (30) calendar days of receipt of the application and notifying the State ETPL Coordinator of denial of programs at the local level.

COMMENT: Hawaii County's Workforce Development Board meetings are scheduled to be held quarterly. Is it possible to increase the time frame from 30 calendar days to quarterly or 90 business days in order to accommodate the existing Board schedule and Sunshine Law Requirements for posting agendas? Difficult to obtain quorum on a minimal timeframe.

Page 43 Section Appendix B NOTE: Separate applications must be submitted to and approved by Local Board representatives in each county where training is to be provided.

COMMENT: Clarification is requested for defining Local Board versus Local Board Representatives. Once an ETP is deemed eligible, they are eligible for all the counties. That is not listed anywhere, but was agreed upon by the Counties.

Mahalo for your consideration,

Michelle Arima

Office of Housing and Community Development
Workforce Innovation and Opportunity Specialist V
50 Wailuku Drive
Hilo, Hawaii 96720



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From: Crisafulli, Rolanse [REDACTED]
Sent: Thursday, June 23, 2016 2:14 PM
To: DLIR.Workforce.Council
Cc: Pascua, Frederick R; Nakamura, Leinaala; Schaeffer, Jacqueline
Subject: FW: Comments on Eligible Training Provider List Policies and Procedures

Hi Allicyn,

Thank you very much for the work of the WDC members and staff to address the need for ETP policies and procedures so that training services can continue to be provided to WIOA participants without interruption from the One-Stops.

Below are the comments from Oahu WorkLinks:

1. Statement on p. 8 #3 a. "For exempted programs, State Board reserves the right to require One-Stop Operators in a local area to collect performance information"

Comment: Please clarify if local boards are responsible for reporting to the State board for performance information of exempted programs, not one-stop operators. The one-stop operators' role is to assist the local boards in collecting the performance information.

2. Statement on page 11 A. #3 b. "adult education and literacy providers—if services are provided with occupational skills training"

Comment: Please clarify if adult education and literacy programs/courses are on the Eligible Training Provider List only if they are provided together with occupational skills training.

3. Statement on page 21 A. #3. "If no WIOA participants enroll in the training program for more than two years, it must be removed from the ETPL."

Comment: We recommend that the word "must" be replaced by "may". While we agree that the local board must examine the demand for the related occupation to determine if there is still local demand for the training program, enrollment in a particular training program is driven by individual customer choice. We believe that individual customers should have as many options and choices as possible as long as the training is for high demand occupations in the local area.

4. Statements on pages 24-25 X. Billing and Payment Procedures

Comments: These billing and payment procedures appear to pertain only to WDD as the service provider and not to other providers. They may be more appropriately issued by WDD than WDC.

Please call Erick Pascua at [REDACTED] or me if there are any questions. We appreciate the opportunity to submit comments. Rolanse

Rolase Crisafulli, Administrator
WorkHawaii/Oahu WorkLinks
1505 Dillingham Blvd., Suite 110
Honolulu, HI 96817
[REDACTED]

From: Arima, Michelle L [REDACTED]
Sent: Wednesday, June 22, 2016 1:41 PM
To: DLIR.Workforce.Council
Cc: tasaka, allicyn h; sakamoto, linda y; OHCD Workforce Inv Act Section
Subject: FW: ETP Policies and Procedures

Aloha,

Below is a submission of comments regarding the State of Hawaii Workforce Innovation and Opportunity Act Eligible Training Provider Policies and Procedures from State of Hawaii Department of Labor and Industrial Relations Workforce Development Division – Hawaii Branch.

Mahalo,

Michelle Arima

Office of Housing and Community Development
Workforce Innovation and Opportunity Specialist V
50 Wailuku Drive
Hilo, Hawaii 96720

[REDACTED]

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From: Kunz, Charles V [REDACTED]
Sent: Wednesday, June 22, 2016 9:56 AM
To: Arima, Michelle L.
Cc: OHCD WIOA; Hanagami, Blayne S
Subject: RE: ETP Policies and Procedures

Hi Michelle,

I wanted to send my comments to you (the County) directly so they do not get lost in translation with WDC. Granted it is WDC, ultimately, who will see the comments, but I wanted to create a trail for the county to have as a reference to in the event of future discussions or meetings with the WDC. I am requesting that you send my comments to WDC please.

Comments regarding Section VI – ETPL Performance Reports
A. Performance Data Submitted by Training Provider

Training providers must annually submit the following levels of performance achieved by all students in all programs on the ETPL for public distribution. Data must include all WIOA and non-WIOA students who participated in each training program [WIOA Section 116(d)]:

Comment:

I can only imagine how training providers will view this requirement. It appears that it will more likely than not, be met with some duress. The obligation to record all students in all programs including non-WIOA students seems quite challenging and severe and certainly pretentious on the part of the Feds/State. This will be a deterrent for providers to apply. I envision them balking. The rule seems too austere and will only create apprehension.

The overriding outcomes, if we do not get providers because of the above reasons, will be equally damning. Currently about 80 percent of our customers are interested in some sort of long term occupational training. Having none in place (not just because of this rule but because of WDCs delinquency in submitting a plan), will kill their spirits, stress staff explaining why we do not have vendors, affect spending, performance measures and result in perhaps sanctions.

Multiply this by each County, then it may put the State in a position they can ill afford,... that being, lackluster results for its first year of WIOA. Granted, my understanding is that performance measures will show in the second year??,... Nevertheless, the lack of bona fide training providers to enroll trainees, will impact entered employment rates and retention which will adversely impact performance measures and potentially receiving WIOA monies for another term.

I would recommend that the rule be either lifted or waived. I would further suggest an extension of all current vendors for an additional six months. If we accept this ruling as is, then we will be setting up programs to fail.

From: Arima, Michelle [REDACTED]
Sent: Wednesday, June 22, 2016 9:15 AM
To: Hanagami, Blayne S [REDACTED]; Carla Kurokawa [REDACTED]; Chad Okinaka [REDACTED];
[REDACTED]; Kunz, Charles V [REDACTED]; Okimoto, Ellen [REDACTED];
[REDACTED]; Esthee Nathanson [REDACTED]; Gerald Lum [REDACTED];
[REDACTED]; OHCD Family Self Sufficiency (sec8fss) [REDACTED]; Helen Nishimoto [REDACTED];
[REDACTED]; Jay Kimura [REDACTED]; Perry, Kathy I [REDACTED]; Paleka-
Kama, Lurlyne [REDACTED]; Funada, Phyllis [REDACTED]; Rona Alexander [REDACTED];
[REDACTED]; OHCD Section 8 (ohcdeh) [REDACTED]
Cc: OHCD Workforce Inv Act Section [REDACTED]
Subject: ETP Policies and Procedures
Importance: High

Aloha BIWC Partners ,

The Workforce Development Council has proposed a new policy and application process for all WIOA Eligible Training Providers throughout the State. There are many changes and new requirements.

After a public review period and incorporation of changes based on the comments received, these policies and procedures will be finalized and posted for use by affected parties.

Please send questions and comments by June 23, 2016 to dlir.workforce.council@hawaii.gov

Mahalo,
Michelle Arima

Michelle Arima

Office of Housing and Community Development
Workforce Innovation and Opportunity Specialist V
50 Wailuku Drive
Hilo, Hawaii 96720



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From: CTS Vincent [REDACTED]
Sent: Wednesday, June 22, 2016 11:52 AM
To: DLIR.Workforce.Council; Marilyn A. Matsunaga OWIB
Subject: RE: WIOA ELIGIBLE TRAINING PROVIDER POLICIES & PROCEDURES 2016

To Whom It May Concern:

Hello! We received an email from OWDB June 15, 2016 regarding changes and update with WIOA ETP Policies and Procedures 2016. It comes to our attention that the due date to comply is on June 30, 2016.

We would like to request for an extension of 30 days or more from the due date (June 30, 2016) if possible. We hope that you will consider this request.

Thank you!



Have a Wonderful Day!

Caregiver Training School
"The Benchmark and Heart of Caregiving"
1320 Kalani Street Suite 288
Honolulu, Hawaii 96817

[REDACTED]
www.caregivertrainingschool.com

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From: Matsunaga, Marilyn A. [REDACTED]
Sent: Tuesday, June 21, 2016 3:27 PM
To: DLIR.Workforce.Council
Subject: Comments to the State of Hawaii's Draft ETP Policies and Procedures

Thank you for this opportunity to provide comments on your proposed policies and procedures.

Comments to the State of Hawaii's Draft ETP Policies and Procedures

Page 8 Section III. A. 2.

Regarding the June 30th expiration date, OWBD suggests at least 30+ day transition phase for ETPs to apply to ensure there is no interruption in services.

Some schools are on break others have limited office staff to fill out these forms and yet others simply need more than a week to do this.

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Do the counties need to be named as well?

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Page 16 E. 2.

- Is a neutral third party and option? We received a few phone calls from market competitors of the UH Community Colleges who expressed concern about it.
- Let's add technology-based training providers outside of the state of Hawaii as qualifying to submit ETP applications for online or distance learning training. This will open up more training opportunities for our customers

Page 20 A. 3.

Customers (training providers) are asking what for a definition of a "locally recognized credential"

Page 20 B.

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OWDB suggests adding "loss of required insurance" (or similar) be added to this list.

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Typo – please list "Local Board" as plural in the first sentence: "Local Boards".

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Clarification, the ETPL (Kumu A'o Website) is owned and controlled by the State and the ETP itself is responsible for logging in and entering their program information on the site.

Page 26 B10.

- FYI -- The software for ETP only allows state employees, and the training providers themselves, the ability to add/delete class data such as removing of training programs.
- The software does not let Local Boards' staff remove training programs.
- Suggest either that this section be rewritten to reflect what the software allows or change the software so that Local Board staff can remove training programs too.

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Suggest that language be included to state that written notices may be sent electronically (such as via email and/or PDF).

Page 27 C.2. and 3.

OWBD suggests streamlining this process to have the forms and documents submitted at one time to the Local Board and then passed on to the State.

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Page 39 #2 and #3

can the requirement for written notice from Providers in case of course cancellation be increased to 3 business days (vs. 2 business days) in advance?

This would make it consistent with page 38 "Payment, Withdrawals..." where the One-Stop is required to give 3 business days notice?

Page 40

Typo – please fix Oahu's phone number to 808-768-5889

From: Danelia Newman [REDACTED]
Sent: Tuesday, June 21, 2016 2:49 PM
To: DLIR.Workforce.Council
Subject: Comments on the DRAFT ETP Policies and Procedures

Aloha.

I have reviewed the WIOA Eligible Training Provider Policies and Procedures, June 2016 version.

I would like to state that I appreciate the effort that went into creating this document. However, there are a number of concerns with the document that need to be addressed.

1. There needs to be a more reasonable timeline for submitting a new application as current applications expire on June 30, which is one week away. This is unreasonable.
2. The application is a laborious, tedious document. In order to become a Hawaii licensed vocational school, a provider is already required to go through many procedural stages to become licensed. Why should this application make it so difficult to qualify as an ETP when a provider is already licensed through the state? There are several items that are not clearly defined. There are discrepancies throughout the document.
3. The Policies and Procedures document is over 40 pages. Again, this is a laborious, tedious document. It should be no more than 6 pages in length, excluding Appendices. It took me an hour just to read through the document and it was difficult to understand several sections of it.
4. Once an organization qualifies as a Training Provider, why are they only eligible for one year and why do they have to requalify every 2 years? The term should be longer, perhaps 3-4 years. The provider should be required, however, to maintain current tax status and submit updated renewed documents such as professional liability, etc., during the term.
5. How can UH Community College System vet technology-based training providers, etc.? This is a conflict of interest as the UH Community College System also applies as an ETP, correct? If they are an ETP provider, how can they be responsible for vetting other ETP providers?

These are just a few of the concerns related to this document. The State of Hawaii is already receiving so much negative publicity regarding how challenging it is to do business in this State. This document adds fuel to the fire. I strongly recommend that the Policies and Procedures not be implemented until a reasonable working document is produced.

Mahalo,

Danelia A. Newman, B.A., Dip. Ed.
Founder and CEO



Newman Learning Center

[REDACTED]



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Host of "Keys to Success"

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[REDACTED]

From: Ka'eo Bradford [REDACTED]
Sent: Thursday, June 23, 2016 1:00:21 PM
To: Carl Hinson; tasaka, allicyn h; [REDACTED]
Cc: George Costa; Nalani Brun; [REDACTED] Bricen Moritsugu; Calvin Shirai [REDACTED] Iris Erickson; Matsunaga, Marilyn A.
Subject: DRAFT - ETP Application Process - DEADLINE SOON!

Aloha

On Kauai, we have the same and similar problems as the rest of the islands LWDB and our ETP providers have questions also...

The deadline for comments on the draft policies/procedures/application form is June 23rd. However, the deadline for submitting a "new" WIOA ETP application is June 30th. This is generating questions...

- They are asking do they wait until the draft policies/procedures/application form are in final form to fill it out -- OR -- do they go ahead and fill out the Draft application form? (They started doing it...) And, if the form is amended, after public comments are gathered, will their "Draft" application form be grandfathered in or will they have to fill out a new one? (Redundancy here...)
- When the revised form does come out can it be more streamlined and minimized as not to cause more conflicts as it is right now, it's like we are penalizing the ETP provider for just putting in their application. Is it be possible to create a one-pager to act as an "interim" application form while we review public comments and finalize the proposed policies/procedures/application form? Or, in the interim can we just use the old ETP application form until the new revised form has been reviewed and approved?
- The Policies and Procedures for ETP is 48 pages long. Why?

Please reply in this matter.

Ka'eo Bradford

Kauai Workforce Development Board
Executive Director
WIOA Administrator

"To ensure Kauai's Workforce is prepared with needed skills and talents to develop a flourishing community."

County of Kauai Office of Economic Development
4444 Rice Street, Suite 200
Lihue, Kauai, HI 96766



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Page 41. Section B.5 and Note.

In addition to hiwi.org, please be sure to add that -- “in-demand industry sectors and occupations” may also be identified in the State Unified Plan and the Local Boards’ Local Plans.

Page 42 8.

The formatting of the second checked box needs to be adjusted. The phrase “and distance learning” needs to be moved over to line up under the appropriate box.

Page 43 Appendix B Step 1 Note –

Let’s streamline this. OWDB suggests a reciprocal approval arrangement between Local Boards.

Page 44.3.h.

Please provide further explanation, some schools might think this is asking if their building is LEED certified?