

Number: WSD15-07  
Date: November 10, 2015  
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TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: WIOA ELIGIBLE TRAINING PROVIDER LIST – POLICY AND PROCEDURES

### EXECUTIVE SUMMARY

#### Purpose

The Employment Development Department (EDD) and the California Workforce Development Board (State Board) are publishing state requirements for training programs listed on the Eligible Training Provider List (ETPL) under the *Workforce Innovation and Opportunity Act* (WIOA). These criteria address both the initial and subsequent eligibility determinations.

#### Scope

This policy applies to Local Workforce Development Boards (Local Boards) and Local Workforce Development Areas (Local Areas).

#### Effective Date

The policy in this directive is effective on the date of issuance.

### REFERENCES

- WIOA (Public Law 113-128) Section 122
- Title 20 *Code of Federal Regulations* (CFR) “WIOA, Notice of Proposed Rule Making” (NPRM), Sections 680.400 – 680.530
- Training and Employment Guidance Letter (TEGL) 41.-14, *Workforce Innovation and Opportunity Act Title I Training Provider Transition* (June 26, 2014)
- *California Unemployment Insurance Code* (CUIC) Sections 1266-1274.20 “California Training Benefits Program”
- *Senate Bill 118*, Chapter 562, Statutes of 2013
- *California Labor Code* Section 4658.7(e)
- *California Private Postsecondary Education Act of 2009*

*The EDD is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities.*

## **STATE-IMPOSED REQUIREMENTS**

This directive contains only state requirements.

## **FILING INSTRUCTIONS**

This directive supersedes Workforce Services Directive WSD13-10, dated April 4, 2014, and WSD14-7, dated February 2, 2015. Retain this directive until further notice.

## **BACKGROUND**

Section 122 of the WIOA requires states to establish a list of training providers who are eligible to receive WIOA funds for training services provided to adults and dislocated workers, and to establish two separate procedures for the ETPL: initial eligibility and subsequent eligibility. The State Board has revised the existing policy and procedures governing the operation of the ETPL, by incorporating performance criteria to more clearly identify quality training programs and the desired outcomes for WIOA clients enrolled in these programs. This criteria will be used to fully implement the initial and subsequent eligibility policies required in WIOA Section 122(b)(1), Title 20 of the CFR and the CUIC. These policies and procedures contain state requirements that mandate all private postsecondary education providers receive an "Approval to Operate" from the Bureau of Private Postsecondary Education (BPPE) prior to being listed on the ETPL. This approval ensures the training provider satisfies the BPPE statutes and enables the provider to enroll WIOA eligible students. The spending of public resources, state or federal, is considered a form of student financial assistance.

The information contained in this directive is intended to assist Local Workforce Development Boards (local boards) in establishing local procedures for soliciting and approving applications from interested training providers and forwarding information on locally-approved providers and their programs to the state for approval and inclusion on the ETPL.

## **POLICY AND PROCEDURES**

With the exception of certain types of customized, cohort and on-the-job training, training providers/programs listed on the ETPL are eligible to receive WIOA funds to provide training services to adults and dislocated workers. In order to be listed on the ETPL, training providers must submit an application, through the CalJOBS<sup>SM</sup> website to a local board to offer training programs. All new and existing training providers are required to register their institution and programs in [CalJOBS<sup>SM</sup>](#).

Prior to approving private postsecondary training providers registering programs on the ETPL, local boards shall ensure the provider has received an "Approval to Operate" from the BPPE. This information can be obtained on the BPPE website under the [Directory of Approved Institutions](#).

The attached *WIOA ETPL Policy and Procedures* contain detailed information on initial and subsequent eligibility requirements, and the roles and responsibilities of the local boards and the EDD in maintaining the integrity of the ETPL and the quality of the training programs offered on it. It is important to note that initial and subsequent eligibility is based on the performance outcomes achieved by the entire cohort of students in that program, reported annually to BPPE. All providers are required to submit information on performance outcomes to determine eligibility for listing and to facilitate informed customer choice.

The attached procedures also include a process for training providers to request a waiver of initial or subsequent eligibility for a specific program from their local workforce board. This process has been included to comply with the WIOA provision that requires consideration of the characteristics of the population served, availability of training providers in rural areas; and relevant economic conditions.

The *Provider Services Guide* located in the Staff Online Resources area of CalJOBS<sup>SM</sup> provides detailed instructions to assist local boards and training providers in entering programs into the CalJOBS<sup>SM</sup> ETPL module. The CalJOBS<sup>SM</sup> system includes data entry screens and reports, and is the mandatory method to be used by training providers and local boards for transmitting this data to the state. The EDD will accept applications for the ETPL from local boards on any working day of the year. Approved applications will appear on the list within 30 days of their submission by the local board to the state. Training providers will be able to make changes to their program information in the automated system and transmit the updates to the local boards for review. The ETPL will be updated daily to incorporate changes that do not require verification; all other changes will be included within 30 days of their submission to the EDD.

Local boards have access to an updated statewide ETPL via the CalJOBS<sup>SM</sup> website on each working day of the year (excluding minimal periods required for system maintenance). The ETPL is available at [www.caljobs.ca.gov](http://www.caljobs.ca.gov) under "Education Services."

## **ACTION**

The information contained in this directive should be shared with all local staff involved in the administration of the ETPL.

## **INQUIRIES**

If you have any questions regarding this directive, contact Daniel X. Patterson at 916-657-1446. Please direct all other questions to your assigned [Regional Advisor](#).

/S/ JOSÉ LUIS MÁRQUEZ, Chief  
Central Office Workforce Services Division

Attachments are available on the Internet:

1. [WIOA ETPL Policy and Procedures](#)
2. [WSDD-120 Summary of Comments](#)