

RIVERSIDE COUNTY  
WORKFORCE DEVELOPMENT BOARD



INITIAL AND SUBSEQUENT ELIGIBILITY FOR THE  
WORKFORCE INNOVATION AND OPPORTUNITY ACT  
ELIGIBLE TRAINING PROVIDER LIST (ETPL)

***POLICY***

Date: March 30, 2018

Number: 20-01

- PURPOSE:** To provide guidance to all America’s Job Center of California (AJCC) staff, partners and administrative staff of the Economic Development Agency/Workforce Development Division (EDA/WDD) regarding Local Area ETPL requirements.
- EFFECTIVE DATE:** Upon release
- REFERENCES:** WSD15-07 WIOA Eligible Training Provider List Policy & Procedure
- REQUIREMENTS:** Locally imposed requirements are indicated in ***bold, italic type***
- BACKGROUND:** The Workforce Innovation and Opportunity Act (WIOA) emphasizes informed customer choice, performance accountability, and continuous improvement. One of the primary means that WIOA employs to achieve these goals is the ETPL. The State is required to develop and operate the ETPL in partnership with local boards. The ETPL is designed to gather and display useful information on training providers, their services, and the quality of their programs.

**POLICY:** 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.

Training must be for occupations in in-demand industry sectors identified by the state, regional or local workforce development boards, or identified per labor market information for the region.

***EDA/WDD's local/regional workforce development boards have identified Riverside County's target industries as construction, health care, transportation/logistics, advanced manufacturing, renewable energy, agriculture and hospitality. Individual Training Account expenditures are limited to \$8,000 per customer.*** Training must result in the awarding of an industry-recognized credential, national or state certificate, or degree, including all industry appropriate competencies, licensing and /or certification requirements.

The spending of public resources, state or federal, is considered a form of student financial assistance. The information contained in this policy is intended to assist the Local Workforce Development Board 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.

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, EDA/WDD shall ensure the provider has received an "Approval to Operate" from the BPPE, or verify an exemption/waiver. This information can be obtained on the BPPE website under the Directory of Approved Institutions. All providers must meet Chapter V., Initial Eligibility Policy and Procedures, as described in WSD15-07.

The regulations stipulate only providers and programs that meet specified quality criteria will be listed on the ETPL and will be eligible to receive Individual Training Account (ITA) and Apprenticeship funding through WIOA. In order for training providers to remain subsequently eligible, providers must submit performance information and annually meet performance levels on specified performance measures. This is verified through the BPPE Annual Report and/or Performance Fact Sheets.

All registered apprenticeship programs that are registered with the United States Department of Labor (DOL), or recognized by the State of California Department of Industrial Relations Division of Apprenticeship Standards (DIR/DAS) are automatically eligible to be included on the ETPL.

Training providers of On-the-Job Training, Customized Training, Contracted Training, Incumbent Worker Training, internships, paid or unpaid work experience opportunities, and transitional employment are not subject to the ETPL requirements outlined below. (per WIOA, sec. 122(h) and EDD WSD 15-07)

## PROCEDURES:

In order for training providers and programs to be listed on the ETPL:

1. Training provider must sign and return the Eligible Training Provider List Acknowledgement Form, including verification that:
  - Provider has read and will comply with WSD15-07 ETPL Policy and Procedures and **WDB Policy 20-01, *Initial and Subsequent Eligibility for the WIOA ETPL List***
  - Provider is approved to operate per criteria in WSD15-07
  - Provider complies with Equal Opportunity and Nondiscrimination policies
  - Provider offers in-demand courses that lead to a recognized credential and will provide documentation of attainment
  - **Provider will provide electronic monthly participant progress updates**
2. ETPL Provider must provide a copy of accreditation status and/or BPPE approval or exemption
3. **ETPL Provider, excluding those not subject to BPPE oversight, must provide documentation of employment outcomes of at least 64.2% for most recent 12 month period available, not to exceed 2 years.**
4. EDA/WDD will review all submitted materials, request clarification or follow up as necessary and confirm that the organization is not debarred from doing business with the federal government.
5. Confirmation of approval or denial will be issued within 30 days from the receipt of the application.

Once EDA/WDD approves a program, the program becomes visible to the America's Job Centers of California network and is accessible to the general public through [www.caljobs.ca.gov](http://www.caljobs.ca.gov) under "Education Services." Training programs must meet subsequent eligibility requirements annually to remain on the CalJOBS<sup>SM</sup> ETPL, per EDD performance directives. If training providers or programs do not meet eligibility requirements, they will be inactivated on the CalJOBS<sup>SM</sup> ETPL. In this case, providers may request a waiver or a file an appeal, as outlined in WSD15-07 Attachment 1.

Attachments are available on the Internet at

[http://www.edd.ca.gov/jobs\\_and\\_training/pubs/wsd15-07.pdf](http://www.edd.ca.gov/jobs_and_training/pubs/wsd15-07.pdf)

6. WIOA ETPL Policy and Procedures

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."

## 7. Participant Complaints

ETPL Providers must maintain grievance/complaint procedures through which participants can address issues. If a grievance or complaint is filed with EDA/WDD against an ETPL Provider or their staff, follow **WDB Policy 14-02 Program Grievances and Complaint Resolution**, and provide a copy of the complaint and resolution to ETPL Coordinator ([mberkebile@rivco.org](mailto:mberkebile@rivco.org)) and Program Compliance ([jgutierrez@rivco.org](mailto:jgutierrez@rivco.org)) for inclusion in Provider file. If AJCC staff become aware of any ETPL Provider issues of concern, the ETPL Coordinator and Program Compliance staff should be notified. Formal and informal complaints may be re-addressed during EDA/WDD's annual monitoring of the ETPL Provider's Program to ensure resolution of issues.

### REVISION HISTORY:

Revision Dates: 03/30/18; 02/14/18  
Original Policy Date: 06/19/02



Loren Sims, Administration Manager