

# DIRECTIVE

## WORKFORCE INVESTMENT ACT

Number: WIAD06-15

Date: February 7, 2007

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TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: ELIGIBLE TRAINING PROVIDER LIST

### EXECUTIVE SUMMARY:

#### Purpose:

This directive provides Local Workforce Investment Boards (local boards) with criteria and procedures for determining a provider and program's initial eligibility for inclusion on the statewide Eligible Training Provider List (ETPL).

#### Scope:

Section 122 of the WIA requires states to establish a list of providers who are eligible to receive WIA funds for training services provided to adults and dislocated workers and establish two separate procedures for the ETPL: initial eligibility and subsequent eligibility. California has been granted a waiver of the requirement for subsequent eligibility specified in WIA Section 122(c)(5) and Title 20 of the Code of Federal Regulations (CFR) Section 663.530. The current waiver allows the State to postpone the implementation of a subsequent eligibility process until July 2007. The State will pursue an extension of this waiver under the current WIA legislation.

The information contained in this directive is intended to assist 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 statewide ETPL.

#### Effective Date:

This directive is effective upon final issuance.

#### REFERENCES:

- WIA Section 122
- Title 20 CFR Section 663.500

*EDD is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. Special requests for services, aids, and/or special formats need to be made by calling (916) 654-8055 (Voice). TTY users, please call the California Relay Service at 711.*

## **STATE-IMPOSED REQUIREMENTS:**

This directive contains only State-imposed requirements.

## **FILING INSTRUCTIONS:**

This directive supersedes WIA Directive WIAD01-16, dated April 15, 2002, and finalizes WIA Draft Directive WIADD-128, issued for comment on October 13, 2006. The Workforce Services Division received several comments during the draft comment period. As a result, the Community College Provider and Program Applications will be modified to expedite the process. Some fields will be expanded on the Program Applications to allow the entry of additional necessary data. The WSD will coordinate the implementation of the above changes in a JTA release as soon as possible. Changes to the directive are viewed as highlighted text. The highlighted text will remain on the Internet for 30 days from the issuance date. Retain this directive until further notice.

## **BACKGROUND:**

The existing policy and procedures governing the operation of the statewide ETPL were developed by the Employment Development Department (EDD) in consultation with state and local partners and approved by the California Workforce Investment Board (State Board) on June 26, 2001. These policies and procedures were published in WIAD01-16 on April 15, 2002. However, in 2003, the State requested and the Department of Labor (DOL) approved a waiver that allows the State to postpone the implementation of the ETPL subsequent eligibility. This waiver is currently approved until June 30, 2007.

As a result of the waiver, the subsequent eligibility policy approved by the State Board and included in WIAD01-16 was never implemented at the State level. The current federal waiver allows providers and programs to remain on the State ETPL indefinitely as long as their initial eligibility is still valid. Moreover, the State will pursue an extension of the existing waiver of subsequent eligibility under the current enacted WIA legislation. When WIA is reauthorized and if the State is required to implement subsequent eligibility, the State Board will work with stakeholders to determine whether the policy developed and approved in 2001 is sufficient to meet ETPL requirements specified in the reauthorized legislation.

## **POLICY AND PROCEDURES:**

With the exception of certain types of customized and on-the-job training, only training providers through their training programs listed on the ETPL are eligible to receive WIA funds to train adults and dislocated workers. In order to be listed on the ETPL, training providers must submit an application to the local board in any Local Workforce Investment Area in which the training provider desires to offer programs and services. Only one training provider application is required; however, a separate application is required for each program of training services offered by the training provider. The

policy and procedures contained in *WIA ETPL Policy and Procedures* provide detailed information on initial eligibility requirements and on the roles and responsibilities of the local boards and EDD in determining the training providers and their program's initial eligibility for listing. It is important to note that initial eligibility is determined based on criteria that relates to a provider/program's approval authority and/or authorization to operate. Performance is not considered in making initial eligibility determinations. Providers are encouraged to submit information on performance outcomes to facilitate customer choice but this is not a requirement and the information provided cannot be used to determine their initial eligibility for listing.

Local boards are responsible for reviewing and verifying applications submitted by training providers, determining if the applicant meets the State's criteria for initial eligibility and forwarding the information to EDD for those training providers and programs that meet the criteria. The EDD is responsible for accepting information on training providers from local boards, compiling a single statewide list of eligible training providers and disseminating the statewide ETPL to local boards for distribution to their One-Stop Career Centers.

It is recommended that local boards use EDD's updated standard application forms to collect the data required to determine initial eligibility for inclusion on the ETPL. These application forms are included in the *WIA ETPL Policy and Procedures* provided with this directive. The Job Training Automation (JTA) system includes data entry screens following the same format as the attachments and is the mandatory method for transmitting this data to the State. While use of these standard forms is optional, local boards that choose to use a different format must incorporate all of the required data elements and transmit these to the State using the JTA system screens. Because there is a central database at the State level for the public California Community College system, special procedures have been developed to streamline the application process for community colleges. Similar procedures can be developed for any public provider that maintains the required data elements in a centralized database at the State level.

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. The local boards are responsible for submitting changes to EDD for programs or training providers already listed on the statewide ETPL to ensure that the information remains current. The EDD will update the list daily to incorporate changes that do not require verification and other changes will be included on the list within 30 days of their submission to EDD.

Local boards have access to an updated statewide ETPL via the JTA system on each working day of the year (excluding minimal periods required for system maintenance). The ETPL is also available on the Internet at [etpl.edd.ca.gov/wiaetplind.htm](http://etpl.edd.ca.gov/wiaetplind.htm).

**ACTION:**

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

**INQUIRIES:**

If you have any questions regarding this directive, procedures for submitting data or retrieving information, please contact Cassandra Dunlap, Program Support Unit Manager, at (916) 654-5181. For technical JTA system questions, contact the Information Technology Customer Services Unit at (916) 653-0202. Please direct all other questions to your assigned [Regional Advisor](#) at (916) 654-7799.

/S/ BOB HERMSMEIER  
Chief  
Workforce Services Division

Attachment is available on the Internet:

[WIA ETPL Policy and Procedures](#) (PDF)