

INACTIVE 11/10/15



DIRECTIVE
WORKFORCE SERVICES



Number: WSD13-10
Date: April 4, 2014
50:158:me:16836

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: ELIGIBLE TRAINING PROVIDER LIST POLICY AND PROCEDURES

EXECUTIVE SUMMARY:

Purpose:

This directive publishes revised performance criteria and other state requirements for programs listed on the Eligible Training Provider List (ETPL). These criteria address both the initial and subsequent eligibility determinations.

Scope:

This Directive applies to all Local Workforce Investment Areas (LWIA).

Effective Date:

This Directive is effective on the day of issuance.

REFERENCES:

- Workforce Investment Act (WIA) [Section 122](#)
- Title 20 Code of Federal Regulations (CFR) [Section 663.500](#)
- California Unemployment Insurance Code (CUIC) [Section 14000-14530](#) "California Workforce Investment Act"
- 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](#)
- Workforce Services Directive (WSD) [WSD13-13](#) "Contracts with Higher Education or Eligible Training Providers"
- WIA Directive (WIAD) [WIAD04-4](#) "Recovery of WIA Tuition and Training Refunds"
- Workforce Services Information Notice (WSIN) [WSIN12-64](#) "Private Postsecondary Educational Entities Must Register with the Bureau of Private Postsecondary Education (BPPE)"

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

- [WSIN13-23](#) "Early Implementation of the California Workforce Services Network (CWSN) Phase 1B, Eligible Training Provider List Module"

STATE-IMPOSED REQUIREMENTS:

This directive contains only state requirements.

FILING INSTRUCTIONS:

This directive supersedes Directive WIAD06-15, dated February 7, 2007, and finalizes Draft Directive WSDD-94, issued for comment on December 12, 2013. The Workforce Services Division received 24 comments during the draft comment period. These comments did result in minor changes to the directive. The amended portions are highlighted in yellow. A summary of the comments is provided as Attachment 2. Retain this directive until further notice.

BACKGROUND:

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. The California Workforce Investment Board (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 WIA clients enrolled in these programs. This criteria will be used to fully implement the initial and subsequent eligibility policies required in WIA Section 122(c)(5), Title 20 of the CFR Section 663.530 and the California Unemployment Insurance Code (CUIC). These policies and procedures contain state requirements that private postsecondary education providers receive Approval to Operate from the Bureau of Private Postsecondary Education (BPPE) prior to being listed on the ETPL. This approval ensures the provider satisfies the BPPE statutes and enables the provider to enroll WIA eligible students, as 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 Investment 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, programs listed on the ETPL are eligible to receive WIA 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 CalJOBSSM website to a local board to offer training programs. All new and existing training providers are required to register their institution and programs in [CalJOBSSM](#).

Prior to approving private postsecondary training providers to list 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](#). Additionally, each program to be approved must

meet the minimum performance standard outlined in the Policies and Procedures Handbook.

These procedures contain detailed information on initial and subsequent eligibility requirements and the roles and responsibilities of the local boards and the Employment Development Department (EDD) in maintaining the integrity 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. All providers are required to submit information on performance outcomes to determine eligibility for listing and to facilitate informed customer choice.

The [Provider Services Guide](#) provides detailed instructions and definitions to assist local boards and training providers in entering programs into the new CalJOBSSM ETPL Module. The new CalJOBSSM system includes data entry screens 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. Providers will be able to make changes to their program information in the new 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 CalJOBSSM website on each working day of the year (excluding minimal periods required for system maintenance). The ETPL is available at www.caljobs.ca.gov under "Education Services".

An annual report on the implementation and outcomes of this policy will be prepared by EDD and State Board staff and submitted to the State Board for their review.

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 916-324-2853. Please direct all other questions to your assigned [Regional Advisor](#).

/S/ JOSÉ LUIS MÁRQUEZ, Chief
Workforce Services Division

Attachments is available on the Internet:

1. [WIA ETPL Policy and Procedures](#) (PDF)
2. [Summary of Comments](#) (PDF)