

WORKFORCE INVESTMENT BOARD of Tulare County WORKFORCE INVESTMENT ACT TITLE I-B ADULT AND DISLOCATED WORKER ACTIVITIES	DATE: February 12, 2015
	SUBJECT: WIB Eligible Training Provider List (ETPL) Initial Program Eligibility Waiver Process

WIB DIRECTIVE

TUL 15-01

TO: WIB Service Providers
WIB Eligible Training Providers
WIB Staff

SUBJECT: WORKFORCE INVESTMENT BOARD of TULARE COUNTY (WIB), ELIGIBLE TRAINING PROVIDER LIST (ETPL) INITIAL PROGRAM ELIGIBILITY WAIVER PROCESS

EXECUTIVE SUMMARY

Purpose:

This directive publishes the Eligible Training Provider List (ETPL) initial program eligibility waiver process for Private Postsecondary Training Providers and the limited situations in which these waivers may be requested.

Scope:

This directive provides information on the WIB ETPL Initial Program Eligibility Waiver Process. This directive can be found at <http://www.tularewib.org/LocalActiveDirectives.asp>.

Effective Date:

This directive is effective immediately.

REFERENCES

- *Workforce Investment Act (WIA) Section 122*
- *Title 20 Code of Federal Regulations Section 663.500*
- *California Unemployment Insurance Code Section 14000-14530 "California Workforce Investment Act"*

- *Workforce Services Directive WSD13-10 “Eligible Training Provider List Policy and Procedures”*
- *Workforce Services Directive WSD14-2 “WIA Title 1B and W-PA State Level Performance Goals for PY 2014-15”*
- *Workforce Services Information Notice WSIN12-64 “Private Postsecondary Educational Entities Must Register with the Bureau of Private Postsecondary Education (BPPE)”*
- *Workforce Services Directive WSD14-7 “ETPL Initial Eligibility Waiver Process”*

LOCAL IMPOSED REQUIREMENTS

This directive contains local and State imposed requirements. *Local requirements are in italics.*

FILING INSTRUCTIONS

Retain this directive until further notice.

BACKGROUND

To be eligible to receive WIA funds to provide training services to adults and dislocated workers, programs must be listed on the ETPL (with the exception of certain types of customized, cohort, and on-the-job training). In order to be listed on the ETPL, training providers must submit an application to the WIB via the CalJOBS website. 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, the WIB 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 must meet the minimum performance standard referenced in *Workforce Services Directive WSD13-10*.

The BPPE performance standard is 70 percent “entered employment rate.” BPPE requires training providers to submit performance reports on a calendar year basis. Performance reports are due in September of each year and published in January of the following year. The base year for initial performance will be Calendar Year (CY) 2013.

The *BPPE Act Regulations Section 74112* provides the definition for performance and how it is calculated and includes exclusions for “graduates who, after graduation die, become incarcerated, are called to active military duty, are international students that leave the United States or do not have a visa allowing employment in the U.S., or are continuing their education in an accredited or bureau-approved postsecondary institution.” This reference can be found in the WIA ETPL Policies and Procedures Handbook included with *ETPL Directive WSD13-10*. *ETPL Directive WSD13-10* also includes information on the performance standards for other providers (e.g. publicly funded providers who are exempt).

POLICY AND PROCEDURES

In limited circumstances the WIB may request an initial eligibility approval waiver (and a single year of subsequent eligibility) of a private postsecondary training program that does not meet the minimum 70 percent “entered employment (placement) rate” performance standard. This option is necessary to closely align the current ETPL policy with the new provisions in the *Workforce Innovation and Opportunity Act* (WIOA), *Section 122(b)* which allows for consideration of the characteristics of the population served and relevant economic conditions. This additional waiver request process will be in effect until such time as the *ETPL Directive WSD13-10* is updated to reflect the new requirements contained in the WIOA.

During the two year period of an approved waiver, the private postsecondary program must continue to meet all other requirements, including the following:

- Obtain “Approval to Operate” from the BPPE.
- Submit annual performance reports.
- Provide training for occupations in demand in the local area.
- Award credentials/certificates that are valued by the local/regional employer community.

To seek limited waiver approval for these programs, the WIB shall ensure that the program meets the above requirements in addition to meeting the minimum waiver performance levels below:

- *Wagner-Peyser Act* State Level Performance Goal for the first waiver year - currently an entered employment rate of 54 percent (released in WSD14-2 for PY 2014-15).
- *Workforce Investment Act* State Level Adult Performance Goal for the second waiver year (subsequent eligibility) currently an entered employment rate of 64.2 percent (released in WSD14-2 for PY 2014-15).

A waiver will not be approved for a third year, as the program is expected to meet the minimum performance mandated by *WSD13-10* of a 70 percent “entered employment (placement) rate.” The chart below shows the BPPE Performance Dates, the date BPPE publishes performance, and the “entered employment rate” that must be met in order for training providers to be eligible to receive a waiver.

BPPE Performance Dates	BPPE Performance Published	Entered Employment Rate (Statewide average)
January – December 2013	January 2015	54% (baseline)
January – December 2015	January 2017	64.2% (progress)
January – December 2016	January 2018	70%

LOCAL ETPL PROVIDER REQUESTS

If an ETPL Provider wishes to request a waiver, the ETPL Provider shall complete the Private Postsecondary Program Waiver Request form (see attachment) and send the request, in addition to any supporting documentation, to the attention of the WIB. The attached waiver request form must explain why the provider is unable to achieve the state’s minimum performance standard of a 70 percent placement rate and actions the ETPL Provider will take to ensure the continuous improvement of this rate during the waiver period. If the waiver request is submitted through email, the completed request must be scanned and attached due to the signature requirement.

The WIB shall review all requests to determine if a waiver request is complete and justified. If the WIB determines the waiver is justified, the WIB shall complete the *Private Postsecondary Program Waiver Request* form (see attachment) and send the request to the attention of the California Workforce Investment Board (CWIB). The request must be supported by a publicly noticed Action of the WIB. In addition, the attached waiver request form must explain why the provider is unable to achieve the state's minimum performance standard of a 70 percent placement rate and actions the WIB will take to ensure the continuous improvement of this rate during the waiver period. If the waiver request is submitted through email, the completed request must be scanned and attached due to the signature requirement. The CWIB will review and recommend action on the request and forward the waiver request to the Employment Development Department to carry out the administrative functions of the directive. If the waiver is approved, the Training Provider, with assistance from the WIB's ETPL Coordinator, must complete all data entry for the program into CalJOBS. The Central Office Workforce Services Division Program Support Unit will add the program to the ETPL upon receipt of the CWIB's approval of the waiver request.

Private Postsecondary Program waiver requests shall be submitted via one of the following methods:

MAIL ATTN: ETPL Waiver Coordinator
 California Workforce Investment Board, MIC 45
 P.O. Box 826880
 Sacramento, CA 94280-0001

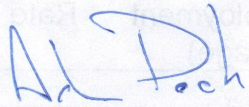
E-MAIL Waiver.Request@cwib.ca.gov

ACTION:

The information contained in this directive will be shared with each Tulare County Employment Connection One Stop facility and service providers. All will have access to the entire State ETPL.

INQUIRIES

Questions regarding this directive should be directed to Workforce Investment Board of Tulare County (559) 713-5200.



ETPL Performance Dates	ETPL Performance Published	ETPL Performance Published
January - December 2015	January 2016	January 2016
January - December 2016	January 2017	January 2017
January - December 2017	January 2018	January 2018

ADAM PECK
Executive Director
AP:DM:MR:CE

Attachments:

1. Eligible Training Provider List – Private Postsecondary Program Waiver Request
2. Summary of Comments

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**Eligible Training Provider List
PRIVATE POSTSECONDARY PROGRAM WAIVER REQUEST**

WORKFORCE INVESTMENT BOARD OF TULARE COUNTY

Contact Name: Carlene Estes **Title:** Workforce Development Analyst

Contact Phone Number: 559-713-5211

TRAINING PROVIDER/PROGRAM INFORMATION

Name of Private Postsecondary Training Provider:

Provider Address:

City:	State:	ZIP Code:
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Title of Training Program:

Current Placement Rate:	First Year of Waiver: Y/N	Second Year of Waiver: Y/N
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Justification for the Waiver Request (use additional sheet if necessary):

I hereby make the following assurances as part of this request:

- Our school and the above program is registered by the Bureau of Private Postsecondary Education and has received Approval to Operate.
- Inclusion of the program on the ETPL will be for the purposes of providing training to individuals with a barrier(s) to employment as defined in the *Workforce Innovation and Opportunity Act*, Section 3 (24).
- Completion of the training program results in the awarding of industry-recognized credential, national or state certificate, or degree, including all industry appropriate competencies, licensing and/or certification requirements.
- The training program is identified as a demand occupation in our local area and has a history of serving clients with barriers to employment.
- Our school is not listed as an Ineligible Cal Grant School by the California Student Aid Commission, https://webutil.csac.ca.gov/CalGrant_Inst/CalGrantInstSearch.aspxht, or has provided documentation of graduation rate exceeding 30 percent and student default rate below 15.5 percent in recent academic years.

I request the above training program to be included on the Eligible Training Provider List.

Signature

Date

**Submit Waiver Request to: WIB of Tulare County, 309 West Main, Suite 120,
Visalia, CA 93291 or cestes@tularewib.org**

WIB USE

Approving Signature

Date

PRIVATE POSTSECONDARY PROGRAM WAIVER REQUEST

Eligible Training Provider List

WORKFORCE INVESTMENT BOARD OF TULARE COUNTY

Title: Workforce Development Analyst

Contact Name: Carlos Bales

Contact Phone Number: 559-211-5211

TRAINING PROVIDER PROGRAM INFORMATION

Name of Private Postsecondary Training Provider:

Provider Address:

City:

State:

ZIP Code:

Title of Training Program:

Current Placement Rate:

First Year of Waiver: Y/N

Second Year of Waiver: Y/N

Justification for the Waiver Request (use additional sheet if necessary):

I hereby make the following assurances as part of this request:

- Our school and the above program is registered by the Bureau of Private Postsecondary Education and has received Approval to Operate.
- Inclusion of the program on the ETRF will be for the purpose of providing training to individuals with a barrier to employment as defined in the Workforce Innovation and Opportunity Act Section 5 (2)(B).
- Completion of the training program results in the awarding of industry-recognized credential, national or state certificate, or degree including all industry appropriate competencies, licensing and/or certification requirements.
- The training program is identified as a demand occupation in our local area and has a history of serving clients with barriers to employment.
- Our school is certified as an eligible California State School by the California Student Aid Commission. This program has a placement rate that is at least 5% above the state provided benchmark of graduation rate exceeding 50 percent and student default rate below 15 percent in recent academic years.

I request the above training program to be included on the Eligible Training Provider List.

Signature:

Date:

Submit Waiver Request for WIF of Tulare County, 303 West Main, Suite 1200, Visalia, CA 93281 or email@visalia.gov

WIB Logo

Approved Signature:

Date: