

<b>WORKFORCE INVESTMENT BOARD of Tulare County</b>  <b>WORKFORCE INVESTMENT ACT TITLE I-B ADULT AND DISLOCATED WORKER ACTIVITIES</b>	<b>DATE:</b>  <b>April 13, 2011</b>
	<b>SUBJECT:</b>  <b>WIB Eligible Training Provider List (ETPL) Policy and Procedures</b>

**WIB DIRECTIVE**

**TUL WIBD-06-15**

**TO:**           WIB Service Providers  
                  WIB Eligible Training Providers  
                  WIB Staff

**SUBJECT:** WORKFORCE INVESTMENT BOARD of TULARE COUNTY, ELIGIBLE TRAINING PROVIDER LIST (ETPL) POLICY AND PROCEDURES

**EXECUTIVE SUMMARY**

**Purpose:**

Section 122 of the Workforce Investment Act (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. This directive establishes WIB policy and procedures that govern the operation of the Eligible Training Provider List (ETPL) and issuance of Individual Training Accounts (ITAs) to WIA Title IB participants.

**Scope:**

This directive provides information on the WIB ETPL policy and procedures. In addition to this directive, a copy of the State of California's WIA ETPL Policy and Procedures can be found at [http://www.edd.ca.gov/Jobs\\_and\\_Training/pubs/rwiad06-15.pdf](http://www.edd.ca.gov/Jobs_and_Training/pubs/rwiad06-15.pdf).

**Effective Date:**

This directive is effective immediately.

**REFERENCES**

- WIA Sections 101(8)(C), 101(31)(B), 122(c), 133(b)(4), 134(a)(1)(A), 134(a)(3)(A)(iv), 134(d)(4)(E), 136(b) and 189(i)(4)
- Title 20 Code of Federal Regulations (Title 20 CFR) Sections 661.420, 663.530, 664.510 and 667.140
- Department of Labor (DOL) Training and Employment Guidance Letter (TEGL) 30-09, Layoff Aversion Definition and the Appropriate Use of WIA Funds for Incumbent Worker Training (IWT) for Layoff Aversion Using a Waiver (June 8, 2010)

- DOL TEGL 26-09, WIA Waiver Policy and Waiver Decisions for Program Year (PY) 2009 and 2010 (May 12, 2010)
- DOL TEGL 14-08, Guidance for Implementation of the WIA and Wagner-Peyser Act Funding in the American Recovery and Reinvestment Act (ARRA) of 2009 and State Planning Requirements for PY 2009 (March 18, 2009)
- DOL TEGL 17-05, Common Measures Policy for the Employment and Training Administration's Performance Accountability System and Related Performance Issues (February 17, 2006)
- California's Strategic Two-Year Plan for Title I of the WIA of 1998, and the Wagner Peyser Act (July 1, 2009)
- Workforce Services Draft Directive WSD10-5, Transfer of Funds for WIA Adult and Dislocated Worker Programs (September 17, 2010)
- WIA Directive WIAD06-15, Eligible Training Provider List (ETPL) (February 7, 2007)
- WSD 10-10 WIA Statewide Waivers And Extension Of State Plan For Py 2010-11(October 15, 2010) Includes Waiver of Subsequent Eligibility
- TUL WIBD-1101.

## **LOCAL IMPOSED REQUIREMENTS**

This directive contains local and State imposed requirements.

## **FILING INSTRUCTIONS**

This Directive supersedes Directive TCWIBD-02-07. Retain this directive until further notice.

## **BACKGROUND**

The California Workforce Investment Board (State Board) and the State of California Employment Development Department (EDD) developed policy and procedures governing the operation of the statewide ETPL in California, in consultation with local partners. The policy and procedures for initial eligibility were approved by the State Board on March 15, 2000, and published in a draft directive (WIADD-1) in May 2000. This revised policy and procedure is based on the ETPL Subsequent Eligibility policy approved by the State Board at their meeting on June 26, 2001. WIAB05-102 Clarification of California's ETPL Requirements and WSD07-8 Implementation of WIA Statewide Waivers for PY 2007-2009 and WSD10-10 Date: October 15, 2010.

## **POLICY AND PROCEDURES**

The EDD policy and procedures contained in WID06-15 provide detailed information on both initial and subsequent eligibility criteria and procedures, including the providers and training programs that are eligible to apply for listing on the ETPL, the data collection requirements, and the roles and responsibilities of the EDD and the Local Workforce Investment Boards (LWIB) in the operation of the ETPL.

### **Data Verification Policies and Procedures:**

Generally, only performance data and administrative data, useful in establishing the eligibility of a provider, will be verified. The WIB has responsibility for ensuring that the data maintained for the ETPL system are accurate, complete, and valid.

- a. Employing whatever methods deemed appropriate, the WIB must ensure that the data supplied by providers for either initial or subsequent eligibility is accurate, complete, and valid. In addition, the WIB is responsible for verifying the data elements supplied by providers.
- b. If a provider has its programs listed with only the Bureau for Private Postsecondary Education (BPPE) registration, the WIB will make a site visit to verify the data the provider supplied to BPPE for registration purposes.
- c. The WIB must have agreements with approved training providers that include provisions requiring providers to maintain records sufficient to support all provider data submissions for ETPL purposes and to make these records available for monitoring or audit by either the WIB or the EDD.

### **Individual Training Account (ITA) Agreements**

The WIB and Employment Connection System will follow the Individual Training Account policy and procedures as approved in Directive TUL WIBD 11-01, and its attachments.

### **Dissemination of the ETPL:**

Each Tulare County Employment Connection One Stop facility will have access to the entire State ETPL.

### **Updating the ETPL:**

It is the responsibility of the Provider to ensure that its information on the ETPL is updated. Updates that the WIB receives from Providers will be accepted and transmitted to EDD.

### **WIB Initial Eligibility Policy and Procedures:**

The ETPL State Directive WIAD06-15 contains the majority of ETPL guidance on this subject. Please reference it in addition to this local directive.

### **Acceptance and Nomination of Applications:**

The ETPL provider and program applications will be accepted by the WIB during regular business hours (M-F, 8:00 A.M. – 5:00 P.M.). The WIB has ten working days to review, input and upload prospective providers to the EDD.

### **Approval or Registration by Bureau for Private Post Secondary Education (BPPE):**

If a Provider is in the required (BPPE) approval category, the training program must be approved by the (BPPE) before the application can be nominated to the EDD for approval.

### **Local Criteria for ETPL Applications:**

Each provider's application and program of training services application, if applicable, must include a narrative on:

- Subsequent Eligibility Data Collection – an explanation of how the data necessary for subsequent eligibility will be collected. Subsequent eligibility data elements include Average Hourly Wage at Placement, Program Completion Rate, Entered Employment Rate, Skill/Credential Attainment Rate and Retention Rate for all participants enrolled in the training program.

### **WIB SUBSEQUENT ELIGIBILITY DETERMINATION**

#### **Application to WIB:**

- a. Providers are required to submit performance information and seed data annually for each program listed on the ETPL.
- b. Providers must submit subsequent eligibility information to the local workforce investment area where initial eligibility was determined.
- c. Procedures and timeframes for provider submissions of applications for subsequent eligibility are established by the EDD in WSD 10-10 WIA Statewide Waivers And Extension Of State Plan For Py 2010-11. Subsequent eligibility applications must include all appropriate seed data. Providers who fail to submit the appropriate seed data required for subsequent eligibility determination are subject to the removal of their programs from the ETPL.

#### **Data Collection, Flows, and Calculation of Performance Measures:**

The WIB will annually provide the EDD with seed data, for both WIA participants and non-WIA students enrolled in training programs, according to EDD guidelines. This data is described at length in WIAD0-16.

#### **Application of Performance Measurement:**

Programs that meet the performance standards established by the EDD will be retained by the EDD on the ETPL.

The information contained in this directive should be shared with all staff involved in WIB activities involving the ETPL and ITAs.

## INQUIRIES

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



ADAM PECK  
Executive Director  
AP:DM:BC:SP

The following is a list of attachments to this document that can be found at <http://www.tularewib.org/LocalActiveDirectives.asp> :

From TUL WIAD-06-15

**WIA Training Provider Application (ETPL EPVA) Form TUL fwiad06-15a**

**WIA Training Program Application (ETPL EPGA) Form TUL fwiad06-15b**

**WIA Community College Provider Application (ETPL EPVA) Form TUL fwiad06-15c**

**WIA Community College Training Program Application (ETPL EPGA) Form TUL fwiad06-15d**