DRAFT DIRECTIVE
COVER PAGE

TUL 26-04 Eligible Training Provider List and Policy Procedures

GENERAL INSTRUCTIONS

The attached directive is being issued in draft to allow the Workforce Development Community to review and comment prior to final issuance.

Submit any comments by email no later than **Wednesday, November 18, 2026**

All comments received within the comment period will be considered before issuing the final directive. Commenters will not be responded to individually. Rather, a summary of comments will be released with the final directive.

Comments received after the specified due date will not be considered.

Email: **Laura.Hernandezrangel@tularewib.org**
Include "Draft Directive Comment" in the email subject line.

Mail: Workforce Investment Board of Tulare County
Attn: **Laura Hernandez Rangel**
309 W. Main St., Ste. 120
Visalia, CA 93291

If you have any questions, contact **Laura Hernandez Rangel** at 559-713-5200

DIRECTIVE

Workforce Investment Board of Tulare County
Date:

TUL 26-04 Eligible Training Provider List and Policy Procedures

EXECUTIVE SUMMARY:

The Employment Development Department (EDD) has revised the policy and procedures for training providers and programs to be listed on the state and local Eligible Training Provider List (ETPL) under the Workforce Innovation and Opportunity Act (WIOA). This policy applies to the Workforce Investment Board of Tulare County (WIB) and providers of training services and is effective immediately. This directive applies to current and new training providers who want to be listed on the California (CA) ETPL and the ***WIB ETPL.***

This directive contains WIB and State-imposed requirements. WIB requirements are in bold, italics.

The WIB maintains the WIB ETPL as a subset of the CA ETPL. Training providers and training programs must first meet the State requirements for inclusion on the CA ETPL. After EDD approves a provider or program for the CA ETPL, the WIB separately applies the local requirements identified in this directive to determine inclusion on the WIB ETPL.

This directive supersedes WIB Directive TUL 23-04, WIB WIOA Eligible Training Provider List Policy and Procedures. Retain this directive until further notice.

REFERENCES:

- Workforce Innovation and Opportunity Act (Public Law 113-128) Sections 3(52), 116(d), 122(a-f), and 134(c)(3)
- Title 20 Code of Federal Regulations (CFR) Part 677: Performance Accountability Under Title I of the WIOA Section 677.230
- Title 20 CFR Part 680: Adult and Dislocated Worker Activities Under Title I of the WIOA (DOL Exceptions), Sections 680.200, 680.210, 680.300, 680.320, 680.340, 680.400 – 680.480, and 680.500 – 680.520

- Title 20 CFR Part 683: Administrative Provisions Under Title I of the WIOA (DOL Exceptions), Section 683.620 and 683.630(b)
- Title 29 CFR Part 38: Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Innovation and Opportunity Act
- Training and Employment Guidance Letter (TEGL) 15-23, Employment and Training Administration Recipient Responsibilities for Reporting Instances of Suspected Fraud, Program Abuse, and Criminal Conduct (June 11, 2024)
- TEGL 21-22, Increasing Equitable Service Access and Employment Outcomes for All Jobseekers in WIOA Adult and Dislocated Worker Programs (June 9, 2023)
- TEGL 21-16, Change 1, Third WIOA Title I Youth Formula Program Guidance (July 30, 2021)
- TEGL 8-19, Change 1, Guidance on Registered Apprenticeship Provisions and Opportunities in the WIOA (May 17, 2021)
- TEGL 8-19, WIOA Title I Training Provider Eligibility and State List of Eligible Training Providers (ETPs) and Programs (January 2, 2020)
- TEGL 3-18, Eligible Training Provider (ETP) Reporting Guidance under the WIOA (August 31, 2018)
- TEGL 19-16, Guidance on Services provided through the Adult and Dislocated Worker Programs under the WIOA and the Wagner-Peyser Act Employment Service (ES), as amended by title III of WIOA, and for Implementation of the WIOA Final Rules (March 1, 2017)
- California Education Code (EDC) Sections 94801.5, 94858, 94874, 94886, 94894
- Title 5 California Code of Regulations (CCR) Division 7.5: Private Postsecondary Education, Sections 71110, 71210, 71220, and 71260
- EDD Workforce Services Directive WSD 24-07, Performance Guidance (November 26, 2024)
- EDD WSD 25-02, California Eligible Training Provider List (February 23, 2026; amended May 19, 2026)
- EDD WSD 24-05, CalJOBS Activity Codes (October 10, 2024)
- EDD WSD 22-08, ETPL Reciprocal Agreements (January 17, 2023)
- EDD WSD 17-01, Nondiscrimination and Equal Opportunity Procedures (August 1, 2017)
- Workforce Integrated Performance System (WIPS), ETP Reporting – WIPS Resources
- WIB Directive TUL 25-07, WIOA Training Expenditure Requirement (January 14, 2026)
- WIB Directive TUL 24-08, Individual Training Accounts Policy and Procedures (February 19, 2025)
- WIB Directive TUL 24-07, Incident Reporting (December 11, 2024)
- WIB Directive TUL 20-05, Recovery of WIOA Tuition and Training Funds (June 10, 2020)
- WIB Directive TUL 19-01, WIOA Grievance and Complaint Resolution Procedures (March 13, 2019)

BACKGROUND:

WIOA Section 122 and 20 CFR Part 680 set the rules for the ETPL used by training providers, workforce boards, and the state. The ETPL is a list of approved training providers and programs. The ETPL's goal is to help people make informed training choices, connect them to jobs, and track provider performance. High-quality training providers and programs are essential to meeting these goals.

The following outlines the information about the ETPL addressed in this guidance:

- ETPL definitions.
- Training provided under WIOA Title I, Subtitle B.
- Provider and program eligibility for use of an Individual Training Account (ITA), including the following:
    - Initial eligibility.
    - Continued eligibility.
    - Reasons for delisting a provider or program.
    - Appeals.
- The unique requirements for Registered Apprenticeship Programs (RAPs).
- The ETPL roles and responsibilities of the state, the ***WIB,*** and training providers.
- Eligible Training Provider (ETP) Annual Report requirements.

A State ETPL Advisory Group developed the guidance for the State Directive. The Labor and Workforce Development Agency, the California Workforce Development Board (CWDB), and the Employment Development Department (EDD) led the workgroup, which included various stakeholders from state agencies, Workforce Boards, community colleges, adult schools, apprenticeship networks, and public and private training providers.

The WIB is responsible for implementing the procedures specified in the State's ETPL Policy and Procedures Directive and administering the WIB ETPL process. The WIB maintains a local Eligible Training Provider List (WIB ETPL) for Tulare County eligible customers, which is a subset of the California Eligible Training Provider List (CA ETPL), and establishes local procedures consistent with applicable federal and State requirements.

This directive outlines the WIB's procedures for reviewing training provider and program applications, determining compliance with applicable state and local eligibility requirements, nominating eligible providers and programs to EDD for final review and determination, administering the WIB ETPL, and ensuring the WIB ETPL is made available through the Employment Connection service locations.

In partnership with EDD, the WIB works to ensure the availability of a sufficient number and variety of training providers for eligible Tulare County customers, including providers with expertise in serving individuals with disabilities and adults in need of adult education and literacy activities.

EDD maintains the CA ETPL, establishes ETPL requirements statewide, and makes final eligibility determinations for provider and program inclusion on the CA ETPL***.***

POLICY AND PROCEDURES:

Definitions

The following definitions apply to this Directive.

CA ETPL – The complete list of training providers and programs on CA's ETPL.

Eligible Training Program – A program of training services is one or more courses/classes, or a structured plan that leads to one or more of the following:

1. An industry-recognized certificate or certification.
2. A certificate of completion of a registered apprenticeship.
3. A license recognized by the State involved or the Federal government.
4. An associate degree.
5. A baccalaureate degree.
6. A secondary school diploma or its equivalent.
7. Employment.
8. Measurable skill gains toward a credential or employment.

Programs offered at several locations by the same training provider are the same program if they have the same name, description, outcome, and format.

Reference *Performance Guidance* (WSD 24-07) for more information on what qualifies as an industry-recognized credential or certificate.

Eligible Training Provider (ETP) –

1. The only type of entity that receives funding for training services through an ITA.

2. Included on the CA ETPL. ***To be included on the WIB ETPL, the provider must also meet local eligibility requirements and receive WIB approval.***

3. Provides a program of training services.

4. Must be one of the following types of entities:
    a. Institutions of higher education provide a program that leads to a recognized postsecondary credential.
    b. Entities that carry out programs registered under the National Apprenticeship Act (29 U.S.C. 50 et seq.).
    c. Other public or private providers of training services, which may include:
        - Community-based organizations.
        - Joint labor-management organizations.
        - Eligible providers of adult education and literacy activities under Title II of WIOA.

Individual Training Account (ITA) – An ITA is a payment agreement made on behalf of a participant with an ETP to cover the cost of training.

WIB Definitions

WIB Eligible Training Provider (WIB ETP) – An eligible training provider with at least one training program listed on the CA ETPL that has also met the WIB's local requirements, has a fully executed ETP contract with the WIB, and has been approved for local inclusion on the WIB ETPL.

WIB Eligible Training Provider List (WIB ETPL) – The list of CA ETPL approved training programs that have met the WIB's additional local eligibility requirements and are available for WIOA-funded training for participants in Tulare County.

WIB ETPL Coordinator – The WIB staff member responsible for administering the WIB ETPL, assisting training providers with ETPL requirements, providing technical assistance related to the CA ETPL and CalJOBS℠, reviewing provider and program applications, and serving as the primary point of contact between training providers, the WIB, and EDD.

WIB ETPL Dashboard – A public-facing web tool available through the Employment Connection (EC) Website that identifies approved, active ETPs and training programs available for eligible Tulare County customers seeking WIOA-funded training. The Dashboard helps staff and customers identify local training options. Providers on the WIB ETPL have an executed Eligible Training Provider contract with the WIB.

The following policy applies to this directive.

This directive outlines the state-mandated and the WIB ETPL requirements for initial and continued eligibility.

Approved ETPL providers must complete continued eligibility as required by ***WSD 25-02***, to reapply for approval to be on the CA ETPL, and are required to meet several mandated performance measures on aggregate students and statewide enrolled WIOA students.

Training providers and programs listed on the CA ETPL may be considered for WIOA-funded training; however, to receive WIB-funded ITAs for Adults, Dislocated Workers (DW), and Out-of-School Youth (OSY), the provider and program must also be listed on the WIB ETPL.

To be listed on the WIB ETPL, training providers and their programs must be approved on the CA ETPL, meet all applicable state and local eligibility requirements as outlined in this directive and have an executed ETP contract with the WIB.

Training Provided under WIOA Title I, Subtitle B

Individuals determined eligible for WIOA Title I Adult, DW, OSY programs, or another WIB-funded programs, may receive funded training services through programs offered by the WIB

ETPs and listed on the WIB ETPL. In consultation with a career coach, the participant may select an appropriate training program consistent with the requirements of the applicable program and funding source. An ITA is then established on behalf of the participant to pay for the approved training.

1. Training Types
    a. Training services allowable under WIOA are detailed in WIOA Section 134(c)(3)(D) and are subject to applicable federal and State guidance.

2. Individuals Eligible for Training
    a. ***Before authorizing funds for training services, EC staff must verify the participant meets the eligibility requirements of WIOA Title I Adult, DW, or OSY, or another applicable WIB-funded program. Program eligibility alone does not establish eligibility for training services. EC staff must separately determine that the participant meets applicable training service requirements outlined in the Training Services or, for eligible OSY, the Youth Training Services sections of CalJOBS Activity Codes (TUL 25-02).***
    b. ***Eligibility for training services must be determined through an interview, evaluation, and career-planning process. Training services may be made available to actively employed and unemployed participants, subject to applicable program requirements and the availability of funds.***
    c. ***To maximize informed consumer choice, individuals who have been determined eligible for training services may, in consultation with a career coach, select an eligible provider and training program. Career coaches should support participants in making an informed selection by providing relevant resources, including, but not limited to, local labor market information (LMI), the CA ETPL available in CalJOBS℠, and the WIB ETPL Dashboard available through the Employment Connection website. Additional guidance regarding career coach responsibilities and Individual Training Account procedures are provided in TUL 24-08.***
    d. ***After being determined eligible for training services in consultation with a career coach, a participant may select a provider and program from the WIB ETPL that aligns with their career goals and meets the requirements of the applicable program and funding source. Once the provider and training program have been selected, an ITA may be established on the participant's behalf to pay for training.***

3. Funding Mechanisms for Training
    a. Individual Training Account (ITA)
        - An Individual Training Account (ITA) often pays ETPs for training services.
        - ***The WIB processes payments to training providers based on an approved ITA voucher and invoice. Payments may be made for a term, trimester, or semester in accordance with the ITA voucher and applicable WIB payment procedures.***

- ***ITA funds may be used only for courses required by the training program and its required related materials. ITAs are for programs for in-demand occupations supported by current local labor market information, identifying growth in the WIB's approved industry clusters in Tulare County, as identified in the WIB Local Plan. Growth is determined by analyzing an occupation's annual openings and verifying a significant growth rate.***
- ***For local implementation, EC staff may use an ITA for Title I, Subtitle B Adult, DW, OSY ages 16-24, and other applicable WIB-funded grants. An ITA cannot fund training services for an In-School youth.***

b. Contracts for Training Services
   - In certain circumstances, ***the WIB*** may use a contract for training services instead of an ITA, consistent with WIOA and applicable State guidance. Contracted training courses must meet applicable consumer choice and other federal, state, and local requirements.
   - For additional guidance on contracting training services, refer to *Increasing Equitable Service Access and Employment Outcomes for All Jobseekers in WIOA Adult and Dislocated Worker Programs* (***TEGL 21-22***).

c. ***WIOA Training Expenditure Requirement***
   - ***The WIB is required to meet WSD 18-10, and local Directive TUL 25-07, WIOA Training Expenditure Requirement, which require at least 30 percent of the WIOA Adult and DW formula funds to be expended on allowable training services and the WIB monitors training expenditures through the program year to support compliance.***

d. ***Financial Aid Coordination***
   - ***When applicable, ETPs may be required to provide participant financial aid records, including Pell Grant information, in accordance with the applicable ETP contract.***

Training Provider and Program Eligibility Requirements

This section explains the separate State and WIB ETPL review steps for initial eligibility, continued eligibility, delisting, and appeals for training providers and training programs seeking inclusion on the CA ETPL and the WIB ETPL.

Training providers and training programs must meet State-established eligibility requirements for inclusion on the CA ETPL before the WIB applies its additional requirements for the WIB ETPL. Eligibility requirements include provider-level and program-level criteria, required application and performance information, and compliance with applicable federal and state requirements.

1. Training providers must first complete an application by entering their information into the ***CalJOBS℠*** ETPL module. ***CalJOBS℠*** is the California EDD's management information system (MIS) and official system of record. Training providers and the WIB are required

to use ***CalJOBS***^{SM} to submit data to the State. The ***WIB ETPL Coordinator*** may provide technical assistance to training providers regarding applications and submission of supporting information.

2. The ***WIB ETPL Coordinator*** will review the complete application in ***CalJOBS***^{SM} for training providers headquartered in Tulare County. This review will be completed within 30 calendar days of the completed application to either deny or nominate the training provider for review by the State ETPL Coordinator for inclusion on the CA ETPL. EDD will review the application within 30 calendar days of receipt from the ***WIB ETPL Coordinator***.

3. ***After EDD approves the training provider or program for inclusion on the CA ETPL, the WIB ETPL Coordinator will review the training provider or program for inclusion on the WIB ETPL in accordance with the local requirements established in this directive.***

CA ETPL and WIB ETPL Review

When reviewing a training provider or training program for nomination to the CA ETPL, the ***WIB*** may apply only the eligibility requirements in ***WSD 25-02***. If the State requirements are met, the WIB will nominate the application to EDD, which makes the final CA ETPL eligibility determination.

After EDD approval, the WIB will separately review the provider and program for compliance with the local requirements outlined in this directive. CA ETPL approval does not automatically result in approval for the WIB ETPL, except for Registered Apprenticeship Programs as provided in this directive.

Initial Eligibility Requirements CA ETPL and WIB ETPL

This section outlines the State requirements for training providers and programs seeking initial eligibility and inclusion on the CA ETPL and the separate WIB requirements for inclusion on the WIB ETPL.

The ***WIB*** reviews applications for compliance with applicable State eligibility requirements and nominates qualifying applications to EDD for final review and determination.

Initial eligibility requirements do not apply to training programs previously eligible for the CA ETPL under the WIOA. These previously eligible training programs must instead meet continued eligibility requirements. Training programs that were not previously eligible under WIOA must give verifiable program-specific information for initial eligibility as outlined in this section.

Training providers and programs approved on the CA ETPL may be considered for inclusion on the ***WIB*** ETPL. Initial eligibility remains valid through the next June 30. To keep the training program on the CA ETPL after that date, the training provider must submit the program for continued eligibility review before the initial eligibility expires.

See the "Unique Requirements for Registered Apprenticeship Programs" section for eligibility requirements for apprenticeship programs.

Initial Eligibility Requirements for the CA ETPL

1. Provider-Level Requirements for the CA ETPL
   To meet provider-level requirements for inclusion on the CA ETPL, the training provider must*:*
   a. Meet the Eligible Training Provider definition above.
   b. Adhere to the equal opportunity and nondiscrimination requirements contained in Section 188 of WIOA and outlined in *Nondiscrimination and Equal Opportunity Procedures* (*WSD17-01*).
   c. Agree to provide information annually for each approved program of training services as outlined in the "WIOA ETP Report" section.
   d. Meet California operating requirements. The training provider must meet one of the following:
      - Accredited by the Western Association of Schools and Colleges Senior College and University Commission (WSCUC), or Accrediting Commission for Community and Junior Colleges (ACCJC).
        - If a WSCUC or ACCJC accredited training provider sub-contracts the program's instruction and/or curriculum development to another entity or third-party vendor, the training provider directly receiving tuition and related instruction fees (e.g., ITA) must meet the requirements outlined in this directive and register in ***CalJOBS***^{SM} as its own provider.
      - A postsecondary educational institution established, operated, and governed by the federal government, State of California, or a California local government (e.g., city, county, etc.).
      - A private postsecondary educational institution with a location in California that does not meet the first two bullets above must meet one of the following:
        - Have an Approval to Operate from the Bureau of Private Postsecondary Education (BPPE)
        - Have a Verification of Exempt Status from the BPPE. Only providers that fall under exemption (c), (d)(2), (e), (i), (j), or (k) of EDC Section 94874 are eligible for the ETPL.
      - A private postsecondary educational institution without a physical location in California that offers online training programs to California students for a fee must meet one of the following:
        - A nonprofit accredited by a U.S. Department of Education recognized agency that offers degrees.
        - Registered with the BPPE as an out-of-state institution.
      - Is an eligible provider of adult education and literacy activities under Title II of WIOA.

e. Registered Apprenticeship Programs are not subject to additional WIB ETPL eligibility requirements.
f. State whether the provider is in partnership with a business.

g. Give the following information about their organization.
    - Federal Employer Identification Number (FEID or FEIN).
    - The legal or official "doing business as" (DBA) name.
    - Description of the training provider.
    - Address of the main location.
    - The type of entity the training provider is (e.g., public provider, private non-profit provider, etc.).
    - Performance reporting method. See the "WIOA ETP Report" section for more information.
    - Other information needed to complete a ***CalJOBS***^{SM} profile, such as:
        - Uniform Resource Locator (URL) for the organization, if available.
        - Contact number for the main location.
        - Billing address.
        - Mailing address.
        - Financial Aid and/or Pell Grant availability.
        - Online registration availability.

2. Program-Level Requirements for the CA ETPL
   To meet training program-level requirements for inclusion on the CA ETPL, the training program must:
    a. Meet the Eligible Training Program definition above.

    b. For providers with BPPE Approval to Operate, the training program and its location are BPPE approved.

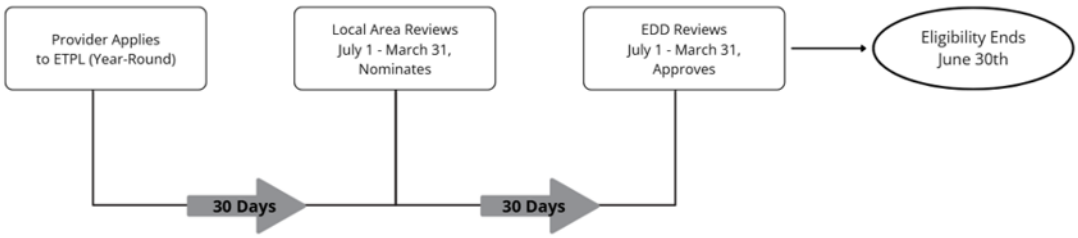
    c. Adhere to the following data and performance requirements:
        - Total Program Exiters: Total number of students who exited (withdrew, transferred out, or completed) the program in the last four complete quarters.
        - Total Completers: Total number of students who completed the program successfully in the last four complete quarters.
        - Programs offered by a private postsecondary institution must have 50% of their exiters successfully complete the training program.

    d. A newly created training program without performance data for initial eligibility may apply for the CA ETPL if ***the WIB*** in the provider's area confirms the provider is reputable and the new program offers value to participants.

e. Provide information that addresses the alignment of the training program with in-demand industry sectors and occupations.

f. Give the following information for each training program to be on the CA ETPL.
   - A description of the training program. The description may include other course prerequisites (e.g., driver's license or work experience), learning outcomes, competencies gained, program accreditation, full time/part time, required books or technology, and related careers.
   - If available, the URL of the program-specific webpage for individuals to find more information on the training program. If a program-specific page is not available, provide the URL of a list of all programs for the provider. This item is not required if a program-specific webpage does not exist.
   - The potential outcome(s) of the training program (e.g., industry-recognized credential, associate's degree, etc.).
   - The specific name of the certificate, certification, license, or degree participants can receive (e.g., Certified Welding Inspector (CWI)).
   - The Classification of Instructional Programs (CIP).
   - The program's total cost of tuition and fees for non-WIOA Title I, subtitle B participants (assuming normal time to completion). The total cost should include mandatory fees such as athletic center fees, technology fees, lab fees, etc. The cost should not include the total cost of books and supplies.
   - An estimate of the program's total cost of books and supplies for non-WIOA Title I, subtitle B participants (assuming normal time to completion).
   - The length of the program in clock/contact hours per week. Clock hours are the total number of actual hours per week a student spends attending class or other instructional activities that count toward completing the training program. A clock/contact hour is a 60-minute span of time with between 50 and 60 minutes of actual class instruction, which may include class, recitation, lecture, lab, training, or internship. No more than 1.0 clock hour can be assigned to any discrete 60-minute period.
   - The length of the program in weeks for a full-time student to complete.
   - Any applicable prerequisites for the training program.
   - The format(s) of the training program (e.g., in-person, online, etc.).
   - The occupation code(s) for which this training program prepares students.
   - Other information needed to complete a ***CalJOBS^{SM}*** profile, such as:
     - Any resources or equipment needed.
     - If the program earns credit, including the number of credits and credit duration (i.e., semester or quarter).
     - Credentialing body.
     - Program schedule.

3. Application Process
   Training Providers may submit an initial eligibility application for ETPL at any time during the year.
   a. The ***WIB*** reviews and processes initial eligibility applications between July 1 and March 31, and has 30 calendar days to review a complete application and determine whether it meets the State requirements for nomination to EDD.
   b. Initial eligibility applications received between April 1 and June 30 will be processed by the ***WIB*** and EDD beginning July 1. See Application Process Flow below for application to eligibility determination.



   c. If the provider is already on the CA ETPL and is submitting an initial eligibility application for a new program, only the program needs to be reviewed for eligibility.
   d. If the application meets the State requirements, the ***WIB*** will nominate it to EDD for final CA ETPL review. EDD then has 30 calendar days to review the application and make a final eligibility determination.
   e. If approved by EDD, initial eligibility is valid for up to one year and expires on June 30. The provider must submit the program for continued eligibility before the initial eligibility expires.
   f. If the WIB denies nomination or EDD denies the CA ETPL eligibility, the ***WIB ETPL Coordinator*** will provide the training provider with written notification of the denial and the reason for the decision.
   g. Training providers may appeal a denial of nomination, eligibility determination, or removal, as applicable.

Providers can appeal eligibility determinations. See the "Appeals" section for more information. See the "ETPL Roles and Responsibilities of the State, ***the WIB,*** and Training Providers" section for information on ***the WIB*** responsible for review and the designated point of contact for training providers.

Initial Eligibility Requirements for the WIB ETPL

4. ***Provider-Level Requirements for the WIB ETPL***
   After EDD approves the provider profile, the WIB will separately review the provider for the following WIB ETPL provider-level requirements. These requirements apply only to determine the provider's eligibility for the WIB ETPL.
   a. ***The provider may be headquartered within Tulare, Fresno, Kings, or Kern County; however, only training programs and locations approved by the WIB***

will be included on the WIB ETPL. A provider headquartered within the four-county areas does not automatically qualify all of its training locations or programs for local inclusion. Requests to add training providers or programs to the WIB ETPL outside of this four-county area must be submitted to the WIB Executive Director for approval.

b. ***The provider must not be debarred from doing business with the Federal Government as per the System for Award Management (SAM.gov) database governing acquisitions.***

c. ***Distance education providers without a physical location in California may be considered for inclusion on the WIB ETPL after the State ETPL Coordinator determines CA ETPL eligibility. In addition to meeting the California operating requirements established in WSD 25-02, the provider must submit documentation demonstrating that it is authorized to operate, as applicable, by the appropriate agency in the state where it is headquartered. Acceptable documentation may include a current license, approval, authorization letter, state agency listing, or documentation of an applicable exemption. Private institutions must also meet any applicable California BPPE registration requirements for inclusion on the WIB ETPL.***

d. ***For newly created training programs without performance data, the WIB will determine whether the training provider is reputable and must determine whether the new training program offers value to participants as allowed under WSD 25-02.***

The WIB may consider one or more of the following factors when determining a training provider's reputation and commitment to workforce development. A training provider is not required to meet every factor. These factors may include, but are not limited to:

- ***Participation in local or regional workforce development activities, employer partnerships, sector partnerships, or as a Memorandum of Understanding (MOU) partner.***
- ***Previous inclusion on the CA ETPL or the WIB ETPL.***
- ***Training programs that exceed minimum state performance requirements or demonstrate positive performance outcomes.***
- ***Labor market demand in alignment with in-demand occupations or industry sectors.***
- ***The length of time the training provider has been in operation and experience providing education, training, or workforce services.***

5. ***Program-Level Requirements for the WIB ETPL***

After EDD approves the training program for inclusion on the CA ETPL, the training program must meet the following WIB requirements to be approved for the WIB ETPL:

a. ***Align with occupations in the in-demand industry sectors identified by the WIB: Advanced Manufacturing, Construction (including public infrastructure), Energy (including green energy), Healthcare, Transportation, and Logistics, Value-added Agriculture, and Hospitality (eligible OSY), as described in the WIB's local***

plan, WIOA Local Plan and the San Joaquin and Associated Counties Regional Planning Unit WIOA Regional Plan.

b. ***Provide training services that lead to an industry-recognized credential, national or state certificate, or degree, including all appropriate industry competencies, licensing and/or certification requirements, or employment in a specific occupation after receiving measurable technical skills.***
c. ***The mode of instruction and class schedule(s) are consistent with the provider's advertised brochure or website.***

6. ***Application Process***
    a. ***After EDD approves initial eligibility on the CA ETPL, the WIB ETPL Coordinator will review the training provider and applicable training program for compliance with the WIB ETPL requirements established in this directive.***

Continued Eligibility Requirements CA ETPL and WIB ETPL

This section outlines the continued eligibility requirements for training providers and training programs seeking to remain on, or be relisted to, the CA ETPL and the ***WIB ETPL***. To maintain eligibility, providers must submit required applications, performance information, and other data necessary to demonstrate compliance with applicable State requirements.

The ***WIB ETPL Coordinator*** reviews continued eligibility applications at both the provider and program level to determine compliance with applicable State eligibility requirements. Applications that meet the State requirements are nominated to EDD for final review and continued eligibility determination.

Training providers and training programs approved by EDD for continued eligibility on the CA ETPL may then be separately considered for continued inclusion on the WIB ETPL.

Continued CA ETPL eligibility is valid for up to two (2) years and expires on June 30.
Because a new training program's initial eligibility expires within one year of approval, the program's first continued eligibility review must occur before the initial eligibility expires to avoid a lapse in its approval.

See the “Unique Requirements for Registered Apprenticeship Programs” section for continued eligibility requirements for apprenticeship programs registered under the National Apprenticeship Act.

Continued Eligibility Requirements for the CA ETPL

1. Provider-Level Requirements for the CA ETPL
   ETPs must review and update, if needed, all information previously provided and continue to meet all requirements outlined in the “Initial Eligibility, Provider Level”.

2. Program-Level Requirements for the CA ETPL
   Continued eligibility applies to all ETPs listed on the CA ETPL whose initial eligibility has expired or is set to expire. All active training programs will be evaluated every two years by the ***WIB ETPL Coordinator*** to ensure they meet continued eligibility to be retained on the CA ETPL.

   Training providers must review and update the training program information in ***CalJOBS℠*** and meet all requirements listed under the training program initial eligibility section. In addition, training programs must provide and meet the following performance metrics based on the type of institution**.**
   To continue to be on the CA ETPL, the training program must meet the following:
   a. Review and update, if needed, all other previously provided program information.
   b. All required data for the most recent annual WIOA ETP Report was submitted by the deadline to be included in the WIOA ETP Report. If applying to be added back to the ETPL (not currently on the ETPL), the training program must provide all data for each year from when it was initially approved for the CA ETPL or for the most recent complete four years (whichever is shorter).
      - For more information on the annual reporting requirements, refer to the WIOA ETP Report Guide and the WIOA ETP Reporting Cohort Tool – Dynamic spreadsheet located on Workforce GPS's ETP Reporting Cohorts Chart site.
      - If the ETP did not have any WIOA Title I, subtitle B students in any of their CA ETPL-approved programs on the most recent annual WIOA ETP Report, the ETP must explain why. The explanation must include why the ETP did not serve any WIOA Title I, subtitle B students and include the number of Supplemental Job Displacement Benefit vouchers accepted during the same timeframe.
   c. In accordance with the State's most current Eligible Training Provider Manual, the ETP must upload the written explanation to the Documents tab of the Provider Profile in ***CalJOBS℠*** as part of the continued eligibility review.
   d. Programs offered by a private postsecondary institution must meet at least half of the following applicable performance measures as displayed on the most recent annual WIOA ETP Report:
      - 50% of all student program exiters successfully completed the training program (did not withdraw or transfer out of the program).
      - Employment Rate 2nd Quarter after Exit for WIOA Title I, subtitle B students is at least 68%.
      - Employment Rate 4th Quarter after Exit for WIOA Title I, subtitle B students is at least 65%.
      - Median Earnings 2nd Quarter after Exit for WIOA Title I, subtitle B students is at least $8,000.

- Credential Attainment Rate for WIOA Title I, subtitle B students is at least 70%.

e. All performance data is verified by using the WIOA ETP Report submitted by the State to the DOL annually.
f. A program is exempt from meeting a performance accountability measure if there is less than one complete program year of data, or fewer than ten students in the denominator of the measure.

3. Application Process
    a. To remain on the CA ETPL, the program must meet the requirements for continued eligibility when its initial or continued eligibility expires or is set to expire.
        - For a program actively on the CA ETPL, the ETP must submit the program application for continued eligibility by March 31 of the same year as the program is set to expire.
        - ***The WIB*** has until May 15 to review the application and, when State requirements are met, nominate it to EDD.
        - If the application meets State requirements, ***the WIB*** will nominate it to EDD. EDD will have until June 30 to review the application and make a final continued eligibility determination.
    b. For a previously eligible program to be added back to the CA ETPL (not actively on the list), providers can submit the program application for continued eligibility any time during the year.
        - The ***WIB*** reviews and processes these applications between July 1 and March 31 and has 30 calendar days to determine whether the application meets the State requirements for nomination. Applications received between April 1 and June 30 will be processed beginning July 1.
        - If the application meets State requirements, the ***WIB*** will nominate it to EDD for State ETPL review. EDD has 30 calendar days to review and make a final eligibility determination.
    c. If the provider is already on the CA ETPL and is submitting a continued eligibility application to relist a program, only the program needs to be reviewed for eligibility.
        - For these applications, the ***WIB*** has 30 calendar days to review the application and, when State requirements are met, nominate it to EDD for an eligibility determination. EDD then has 30 calendar days to review and make a final eligibility determination.
    d. If approved, the program's continued eligibility is valid for up to two years ending on June 30. If the provider has other programs on the CA ETPL, the program's continued eligibility will have the same expiration date as the other programs. There are some instances where the first continued eligibility period for a program is shorter than two years to align it with the expiration date(s) of the ETP's other programs.

e. If EDD denies eligibility, EDD will notify the ***WIB ETPL Coordinator.*** The ***WIB ETPL Coordinator*** will then notify the training provider in writing of the denial and the reason for the decision.

Providers can appeal eligibility determinations. See the "Appeals" section for more information. See the "ETPL Roles and Responsibilities of the State, the ***WIB***, and Training Providers" section for information on the WIB responsible for review and the designated point of contact for training providers.

Continued Eligibility Requirements for the *WIB ETPL:*

1. ***Provider-Level Requirements for the WIB ETPL***
    a. ***For continued inclusion on the WIB ETPL, training providers must continue to meet WIB ETPL Provider-Level Requirements established in this directive.***

2. ***Program-Level Requirements for the WIB ETPL***
    a. ***For continued inclusion on the WIB ETPL, training programs must continue to meet WIB ETPL Program-Level Requirements established in this directive.***

3. ***Application Process***
    a. ***After EDD approves continued eligibility on the CA ETPL, the WIB ETPL Coordinator will review the training provider and applicable training program for continued compliance with the WIB ETPL requirements established in this directive.***
    b. ***If the provider and training program continue to meet the applicable WIB requirements, they may remain on the WIB ETPL, subject to the applicable ETP contract and other local requirements established in this directive.***
    c. ***If the WIB determines that a training program no longer meets the applicable WIB ETPL requirements, the WIB may deny continued inclusion or remove the training program from the WIB ETPL. The provider may appeal the WIB decision in accordance with the WIB appeal process described in the "Appeals" section.***

Reasons for Delisting an Eligible Provider or Program

CA ETPL Delisting and Suspension

To ensure the integrity of the ETPL, the ***WIB*** or the EDD may remove an ETP or program from the ETPL at any time, regardless of when the program is due for eligibility review.

An ETP removed from the list for any of the following reasons becomes ineligible for the ETPL for two years and is liable to repay all training funds received during the period of noncompliance.

1. The ETP intentionally supplied inaccurate information to meet or keep eligibility for the CA ETPL.

2. The ETP substantially violated any provision of Title I of WIOA or the WIOA regulations, including 29 CFR Part 38.
    a. The ETP no longer adheres to the equal opportunity and nondiscrimination requirements contained in Section 188 of WIOA and outlined in *Nondiscrimination and Equal Opportunity Procedures* (WSD17-01). This includes ensuring programs are accessible for individuals with disabilities.
    b. The state identifies information involving criminal fraud, waste, abuse, or other criminal activity associated with the ETP. This includes, but is not limited to, the following:
        - ***The WIB*** and ETP are participating in pay-to-play activities (commonly known as kickbacks) that include, but are not limited to*: **the WIB receives*** monetary or gift exchanges for (or in the hope for) referrals to a specific ETP, and/or exchanges of money or gifts to have the training provider listed on CA and/or ***WIB ETPL***.
        - The ETP's top-level leadership (e.g., owner, CEO, Director, etc.) is convicted of violating any federal or state law associated with the operation of the institution.
    c. Failure to provide timely and correct data to be included in the WIOA ETP, including the annual reporting requirements above, or for eligibility determinations as outlined in this guidance.
        - The state may allow an ETP to remain on the list if the ETP was unable to give the required data timely due to an exceptional circumstance beyond the ETP's control (e.g., natural disaster, unexpected technology-related issues, etc.).
    d. For more information on allegations of fraud, program abuse, or criminal conduct, please see *Incident Reporting* (TUL 24-07).
    e. The EDD or the ***WIB*** can immediately remove an ETP for any of the following reasons, and reactivation to the list is at the discretion of the State ETPL Coordinator:
        - The ETP no longer meets the California operating requirements outlined in the "Initial Eligibility" section.
        - It is decided that the ETP is not serving or providing value to WIOA Title I, subtitle B participants and is listed on the CA ETPL solely for other purposes, such as the use of Workers' Compensation Supplemental Job Displacement Benefit vouchers.
        - The ETP no longer wishes to be listed on the CA ETPL.
    f. To protect training funds, an ETP will be suspended from the CA ETPL for any of the following reasons:

- The ETP or a top-level staff (e.g., owner, president, etc.) is criminally charged with crimes related to the operation of the institution by any federal, state, or local agency.
- The ETP or top-level staff is actively involved in a civil court case related to the operation of the institution.
- The ETP is issued an Accusation or Statement of Issues from the BPPE.

g. While suspended, the provider cannot enroll new WIOA or ***WIB-funded*** students, but may continue to serve existing enrollments.
   - After the investigation or legal case ends, the state will review the outcome and decide if the provider can return to the CA ETPL.
   - If a provider does not report to the ***WIB*** or the EDD that they are under investigation or involved in a court case, they may be immediately removed from the CA ETPL.

Appeals

Training providers may appeal an eligibility determination or removal from the CA ETPL or the ***WIB ETPL***. The applicable appeal process depends on whether the determination relates to the CA ETPL or the ***WIB ETPL***. When the ***WIB*** determines that a training provider or program does not meet State requirements for nomination to the CA ETPL, ***or the WIB ETPL***, the ***WIB ETPL Coordinator*** will provide, in writing, the reason(s) for the decision, and the process to appeal. ***The WIB may deny or remove a training program from the WIB ETPL if the program does not meet the local eligibility requirements established in this directive. A local denial or removal does not remove the training program from the CA ETPL if the program continues to meet State requirements. Providers may appeal a local denial or removal using the WIB appeal process in this directive.***

Distance education providers and Registered Apprenticeship programs subject to EDD review must appeal directly to EDD.

1. Appeals for CA ETPL:
   a. Training providers can appeal eligibility determinations and delisting of program(s) for the CA ETPL. If the determination to deny eligibility or delist a program occurs during the WIB's review, the provider can request the State ETPL Coordinator to review the decision. The request must be submitted to the State ETPL Coordinator at ***wsbetpl@edd.ca.gov*** within 30 calendar days of the notification of denial or removal from the CA ETPL.
   b. If the determination to deny eligibility or delist a program occurs during the State's review, the provider can submit an appeal to the EDD's Compliance Review Office at LDCBCROIncidentReports@edd.ca.gov within *15 calendar* days of the state's notification of denial or removal from the CA ETPL. The appeal must include the following in writing:
      - Grounds for appeal.

- Reasons why the provider and/or program(s) are eligible for the CA ETPL.

c. The appellant will receive a notice regarding a hearing on the appeal.

2. ***Appeals for the WIB ETPL:***
   a. ***The WIB may deny or remove a training program from the WIB ETPL if it fails to meet local policy requirements that exceed those of the CA ETPL. If the WIB denies or removes a training program from the WIB ETPL, the training provider may submit an appeal to the WIB based on the WIB Appeal Process as outlined below.***
   b. ***A training program removed from the WIB ETPL may remain on the CA ETPL, as long as it continues to meet the eligibility requirements outlined for the CA ETPL.***
   c. ***To appeal the WIB's denial or removal of a training program, the provider must follow the ETP Appeal process below:***
      - ***Complete the Eligible Training Provider (ETP) Appeal form. This form is available on the WIB's website https://www.tularewib.org/ under the Eligible Training Provider section. This section also includes the ETP Appeal Instructions.***
      - ***Submit the ETP Appeal Form within 30 calendar days of the issuance of the denial or removal notice.***
      - ***The ETP Appeal Form must include an appeal statement of the desire to appeal; specification of the program in question; the reason(s) for the appeal (i.e., grounds); documentation supporting the grounds for the appeal, and the signature of the appropriate provider official.***
      - ***Submit the completed ETP Appeal Form to the WIB ETPL Coordinator using the following ETP Appeal email address: TulareWIBETPL@tularewib.org, with the subject line "ETP Appeal" or mail the completed form to:***

        Workforce Investment Board of Tulare County
        Attn: WIB ETPL Coordinator
        309 W. Main Street, Ste. 120
        Visalia, CA 93291
      - ***After the ETP Appeal Form is submitted, the WIB ETPL Coordinator will contact the training provider within 30 calendar days to schedule an initial informal meeting to determine whether there is a simple solution to resolve the dispute.***
        - ***If it cannot be resolved, the provider will have an opportunity to have a formal hearing with a designated hearing officer who shall be an impartial person.***
      - ***The designated hearing officer shall provide written notice to the parties concerned of the date, time, and place of the hearing at least 30 calendar days in advance of the scheduled hearing. Both parties have***

the opportunity to present oral and written testimony under oath; to call and question witnesses; to request documents relevant to the proceedings; and to have legal representation.

- ***Final decisions must be made within 60 days of receipt of the appeal. The provider and the WIB will be notified in writing of the final decision.***

Unique Requirements for Registered Apprenticeship Programs

This section outlines the unique requirements for Registered Apprenticeship Programs (RAPs), including eligibility, application procedures, and circumstances under which a RAP may be removed from the CA ETPL.

All RAPs are reviewed for inclusion on the CA ETPL by the State ETPL Coordinator. The ***WIB ETPL Coordinator*** does not review RAP applications for inclusion on the CA ETPL.

For additional information regarding RAP eligibility, application requirements, continued inclusion, and removal from the CA ETPL, refer t***o WSD 25-02.***

1. Eligibility Requirements
    a. All apprenticeship programs registered with the U.S. DOL, Office of Apprenticeship under the National Apprenticeship Act or a recognized State apprenticeship agency are automatically eligible for the CA ETPL. The EDD informs new RAPs of their automatic eligibility for the CA ETPL. An apprenticeship program must consent to their inclusion on the list.
    b. All Registered Apprenticeship Programs (RAPs) listed on the CA ETPL are automatically included on the ***WIB ETPL*** and are not subject to additional local eligibility requirements.

2. Application Process
    a. RAP sponsors can submit an application to EDD for the CA ETPL at any time. Applications for new RAPs are reviewed and processed by EDD between July 1 and March 31. Applications received between April 1 and June 30 are processed beginning July 1.

3. Reasons for Delisting an Apprenticeship Program
    a. RAPs that are deregistered, voluntarily removed, or removed from the CA ETPL by EDD are not eligible for inclusion on the ***WIB ETPL.***

ETPL Roles and Responsibilities of the State, the WIB, and Training Providers

The ETPL process relies on collaboration between training providers, the local ***WIB***, and EDD to review, maintain, and administer eligible training programs on the CA ETPL and ***WIB ETPL***.

Training Providers are responsible for submitting required applications and timely information, maintaining accurate records in ***CalJOBS℠***, providing training services, submitting timely

invoices and required performance information, communicating with the ***WIB*** and ECs, and complying with applicable state and ***WIB ETPL*** requirements.

The WIB reviews eligibility applications for compliance with State requirements and nominates eligible training providers and programs to EDD for review.

The WIB conducts WIB ETPL activities, administers the WIB ETPL, and determines whether the CA ETPL-approved providers and programs meet the additional local requirements established in this directive for inclusion on the WIB ETPL.

EDD administers and maintains the CA ETPL, establishes statewide ETPL requirements, and makes final eligibility determinations.

1. Training Provider Responsibilities
   Training providers are responsible for the following:
   a. Submit timely and correct data:
      - Using ***CalJOBS℠***, submit accurate and timely data, including performance data and cost information, for both initial eligibility and continued eligibility as outlined in this guidance.
      - Provide the required performance data for the WIOA ETP Report for any training program that was on the CA ETPL at any time in the previous program year (July 1 – June 30) by August 31. See the "WIOA ETP Report" section for more information.
      - An ETP removed from the list for not providing timely and accurate data for the eligibility determination or the WIOA ETP Report is ineligible for the CA ETPL for two years and is liable to repay all WIOA Title I Adult, DW, and Youth training funds received during the period of noncompliance.
   b. Collaborate with the appropriate contact for assistance:
      - Training providers assigned to the WIB should communicate with the ***WIB ETPL Coordinator*** when assistance related to this policy is needed.
      - The ***WIB*** is responsible for reviewing and nominating the training provider profile and assigned training program(s) for ETPs headquartered within the ***WIB's*** service area. The ***WIB*** is also responsible for conducting an eligibility review for training program(s) physically located within the ***WIB's*** service area.
      - If the training provider's headquarters is located outside California, but the training program is physically located within the ***WIB's*** service area, the WIB is responsible for reviewing and nominating the provider profile and applicable training program. The ***WIB ETPL Coordinator*** for each Local Board can be found on the EDD's Eligible Training Provider List site.
      - RAPs should contact the CA ETPL Coordinator for assistance as applicable.

- Distance training providers without a location in California that offer online training programs to California students for a fee should contact the State ETPL Coordinator at wsbetpl@edd.ca.gov for assistance.

c. Report on institutional changes:
   - Immediately inform the ***WIB*** of any changes to their institution that may result in their removal from the CA ETPL. This includes but is not limited to:
     - The ETP is aware it is under investigation by any federal, state, or local agency, and/or is involved in a civil or criminal court case related to the operation of the institution.
     - The ETP does not meet California operating requirements.

d. Ensure that ETP and training program information in ***CalJOBS℠*** remains current by reporting and submitting changes as they occur, rather than waiting until a scheduled review period. Changes to program information, such as tuition and fees, program location, schedules, or other applicable program details, must be updated in ***CalJOBS℠***, and submitted through the Confirmation tab for review.

e. Submit timely performance data in accordance with the applicable State reporting requirements, including data required for initial and continued eligibility and the annual WIOA ETP Report.
   - ***Use the Confirmation tab in CalJOBS℠ to confirm and submit applicable changes for review.***
   - ***Comply with the applicable WIB reporting requirements and deadlines established in this directive.***

f. ***Maintain sufficient records and make these records available for monitoring or audit by the WIB in accordance with the ETP contract executed. These records must be made available to WIB upon request.***

g. Upload documentation required by the State for initial and continued eligibility in the ***CalJOBS℠*** profile, ***as applicable, including documentation identified in the State ETPL Training Provider Manual.***
   - ***The WIB may require additional documentation, such as accreditations or operating approval documentation, Equal Opportunity or Non-Discrimination documentation, to verify compliance with the WIB requirements established in this directive.***

Note: Except where the State identifies a specific form or document, there is no single form or template for submitting required supporting documentation.

h. ***Retain participant records which may include invoices, attendance records, student evaluations, and certificates of completion and other applicable documentation to support services being provided.***

i. ***Provide monthly attendance records for participants funded through an ITA throughout the training and upon completion. If a training provider is not able to provide monthly attendance records, they shall confirm, at least quarterly, that the participant continues to attend the training program.***

j. ***Notify the WIB immediately if participants drop out of a training program to determine the recovery of WIOA tuition and training refunds during the period***

when tuition can be refunded. For additional information, reference the WIB's directive, TUL 20-05: Recovery of WIOA Tuition and Training Refunds (or most recent directive).

2. ***WIB Responsibilities***
    a. ***Review providers and programs for eligibility:***
        - ***Verify assigned programs meet eligibility criteria and performance levels required to be on the CA ETPL, and the information provided is correct prior to submitting the application to the EDD.***
        - ***Review and nominate training provider's profile when the training provider's headquarters is located within the WIB's service area. If the training provider's headquarters is located out of state, the Local Board where the training program is physically located must review and nominate the provider's profile.***
          The local board where the training program is physically located must conduct an eligibility review for the program(s).
        - ***Ensure the application is complete and the program meets the eligibility requirements outlined in this guidance prior to nominating the application for state review.***
        - ***The WIB is not responsible for the eligibility determinations for RAPs or distance education providers and programs that have no physical location in California.***
        - ***Remove programs that do not meet requirements to be on the CA ETPL.***
    b. Support ETPs:
        - The ***WIB ETPL Coordinator*** is responsible for carrying out the tasks assigned by the state in this policy and providing technical assistance to ETPs related to the CA ETPL, including the use of ***CalJOBS℠***.
        - ***The WIB ETPL Coordinator serves as the primary point of contact for training providers headquartered in Tulare County, seeking inclusion on the WIB ETPL. The WIB ETPL Coordinator will:***
            - Reviews provider and program applications for initial and continued eligibility, determine whether State requirements for nomination are met, and nominates eligible applications to EDD for final review and determination.
            - ***Determines whether CA ETPL approved providers and programs meet local requirements for inclusion on the WIB ETPL.***
            - Provides technical assistance to training providers regarding:
                - CA ETPL and ***WIB ETPL*** Requirements;
                - Initial and continued eligibility requirements;
                - Applicable data and performance reporting; and
                - The annual WIOA ETP Report, including reporting deadlines and procedures established by EDD.

- ***Develop, renew, and amend training provider contracts.***
- ***Maintains grievance and complaint procedures for participants alleging violations of WIOA Title I requirements.***
- ***Upon enrollment, participants receive a copy of the WIB's grievance and complaint procedures contained in TUL 19-01, Grievance and Complaint Resolution Procedures, or the most current directive.***
    - ***If a participant files a grievance or complaint involving a training provider, the WIB will follow the applicable grievance and complaint procedures. Training providers must maintain procedures through which participants may address concerns and must maintain applicable Equal Opportunity and Nondiscrimination requirements and documentation in CalJOBS℠.***
- ***The WIB*** may delegate the administration of the ETPL for its area to another Local Board. *The* ***WIB*** must notify the State ETPL Coordinator at wsbetpl@edd.ca.gov if they are approving or removing delegation authority of their ETPL duties to another Local Board.
- ***The WIB*** will notify the State ETPL Coordinator at wsbetpl@edd.ca.gov if there is a change ***to the WIB's designated WIB ETPL Coordinator.***

c. Make the list publicly available: ***The WIB*** will ensure the dissemination and appropriate use of the CA ETPL through the ECs, including in formats accessible to individuals with disabilities.

d. *Ensure statewide access to all learners:* ***The WIB will work*** with the EDD to ensure there are enough ETPs in the Local Area, including those with expertise in assisting individuals with disabilities and adults in need of adult education and literacy activities.

e. Establish ***WIB ETPL*** requirements: If desired, ***the WIB*** may set more requirements to be on ***WIB ETPL***. ***The WIB*** cannot set additional requirements for RAPs. If additional requirements are not set, ***the WIB*** must make all programs on the CA ETPL available to customers. In developing a ***WIB ETPL***, ***the WIB*** must only include training programs approved for the CA ETPL. ***The WIB can do the following for the WIB ETPL:***
    - Require more information from ETPs as criteria to become or remain eligible for the ***WIB ETPL***.
    - Set higher levels of performance as criteria for programs to be on the ***WIB ETPL***.
    - Remove a training program from the ***WIB ETPL*** for failure to meet those higher performance standards.
        - Training providers may appeal a denial of eligibility. The ***WIB*** must establish procedures for an ETP to appeal its removal from the ***WIB ETPL***. The procedures must include an opportunity for a hearing and clear time limits to ensure prompt resolution.

- Training providers removed from the ***WIB ETPL*** for failure to meet the higher performance standards are still on the CA ETPL if it continues to meet the requirements to be on the state list.

f. ***The WIB Monitoring Unit may monitor training providers to ensure compliance with applicable requirements as listed on the WIB's most current Monitoring Procedures Manual.***

3. State Responsibilities
   The EDD is responsible for the following:
   a. Manage the ETPL:
      - Create and maintain the CA ETPL, including initial eligibility, continued eligibility, and setting performance and cost information requirements. The CA ETPL includes the following information to help participants choose employment and training activities:
        - Recognized postsecondary credential(s) offered.
        - Provider information submitted to meet eligibility.
        - Performance and cost information.
        - Other information the state considers appropriate, such as the number of units (e.g., credits, hours, or semesters) needed to earn the credentials offered.

   b. Make sure programs qualify:
      - Verify that all programs meet the eligibility criteria and performance levels to be on the CA ETPL, and that the information provided is accurate.
      - Support education providers without a location in California by providing technical assistance and conducting eligibility reviews. ***The WIB*** *is* not responsible for conducting eligibility reviews for out-of-state training providers or programs, with no physical location in California.
      - Work directly with RAPs to streamline their ETPL application and review process. ***The WIB*** *is* not responsible for conducting eligibility reviews for RAPs.
      - Remove programs that do not meet requirements to be on the CA ETPL.

   c. Take action on violations: If an ETP intentionally gives inaccurate information or substantially violates the requirements of WIOA, the EDD will take appropriate action.
   d. Make the list publicly available: Make the CA ETPL, with performance and cost information, available and accessible to the public (including individuals with disabilities), ***the WIB,*** and stakeholders via a searchable database on ***CalJOBS℠***.
   e. Ensure statewide access to all learners:
      - Ensure access to training services throughout the state, including in rural areas, and through the use of technology.
      - Ensure providers can provide training services to individuals who are employed and individuals with barriers to employment.

f. Submit yearly report: EDD submits the WIOA ETP Report to DOL by October 1 each year.
    - The EDD calculates the required WIOA-funded student data for each program.

WIOA ETP Report

EDD must collect and report performance information on all individuals served by each training program on the CA ETPL during the Program Year (July 1 – June 30). EDD submits the annual WIOA ETP Report to the DOL using the ETA-9171, and makes the information publicly available on ***CalJOBS***^{SM}.

To prepare the report, all training providers are responsible for maintaining accurate program information and submitting the required performance data by the established deadline. EDD uses the information from the initial and continued eligibility applications, along with WIOA participant data to compile and submit the report to DOL.

Registered Apprenticeships Programs are exempt from WIOA ETP Report performance reporting requirements.

1. ETPs must provide the following:
    a. The total number of students (WIOA and non-WIOA) served.
    b. The total number of students (WIOA and non-WIOA) who exited from the program (includes students who completed, withdrew, or transferred out of the program).
    c. The total number of students (WIOA and non-WIOA) who completed the program.
    d. The levels of performance achieved for all students (WIOA and non-WIOA) for the program:
        - The number of exiters in the 2nd quarter after exit.
        - The number of exiters employed in the 2nd quarter after exit.
        - The median earnings of exiters in the 2nd quarter after exit.
        - The average earnings of exiters in the 2nd quarter after exit.
        - The number of exiters in the 4th quarter after exit.
        - The number of exiters employed in the 4th quarter after exit.
        - The average earnings of exiters in the 4th quarter after exit.
        - The number of exiters who attained a credential during participation or within one year after exit.

2. To ensure the appropriate students are counted for each item above, please refer to the attached WIOA ETP Report Guide and/or the ETP Reporting Cohorts Chart located on the WorkforceGPS Eligible Training Provider Resource Page.

Under WSD 25-02, the State reporting period is July 1 through August 31, and ETPs must submit the required WIOA ETP Report data by August 31 each year.

3. ***For the WIB ETPL, ETPs must submit the required performance data for each applicable training program by July 31 of each year.***
    a. ***The July 31 deadline is a WIB requirement established to allow sufficient time for the WIB to review the submitted data for accuracy and completeness before the State's August 31 report deadline.***
    b. ***If the required performance data are not submitted by the WIB's July 31 deadline, it may affect the WIB's ability to complete its review before the State's August 31 reporting deadline. The WIB may require corrections to ensure the submitted data is accurate and complete.***

4. To help with accurate data reporting, ETPs have two options for providing performance data to the EDD:
    a. Provide totals for the most recent complete program year for each of the performance items mentioned above.
    b. Provide a list of Social Security Numbers of applicable individuals to the EDD. The EDD will conduct a wage match for the individuals and calculate all totals as outlined above.
        - ETPs must ensure they adhere to the Family Educational Rights and Privacy Act, including the circumstances relating to prior written consent, if sending personally identifiable information from an education record.

5. The WIOA ETP Report includes aggregate totals for up to four years of data (the most recent program year and the three preceding years); however, only the most recent program year needs to be submitted.
    - The EDD will aggregate all available data to meet the reporting requirement. ETPs are not required to give performance data from before the program was listed on the CA ETPL.

ACTION:

Bring this Directive to the attention of all WIB Subrecipients, Eligible Training Providers, and WIB staff.

INQUIRIES:

Please direct inquiries regarding this Directive to the WIB at (559)713-5200.

Jennie C. Bautista

Executive Director

ATTACHMENTS:

- Attachment A - WIOA ETP Report Guide
- Attachment B - Summary of Comments

The Workforce Investment Board of Tulare County is an equal opportunity employer/program.
Auxiliary aids and services are available upon request to individuals with disabilities.