ETPL, ITA & ATA POLICIES AND PROCEDURES

TABLE OF CONTENTS

I. INTRODUCTION

An Individual Training Account (ITA) is designed to provide services to participants who are in need of training that prepares them for employment in in-demand (ID) and/or higher in-demand (HID) occupations in the San Diego region. An Apprenticeship Training Account (ATA) is a formalized, structured training program that combines on-the-job learning with related practical and technical classroom instruction in a highly skilled occupation. The ITA/ATA Policy and Procedures is designed to ensure consistency among Training Providers and streamline the process for participants to obtain an ITA/ATA while ensuring the intent of the legislation for informed participant choice is still being met. The policy defines the Workforce Innovation and Opportunity Act (WIOA) tiers of service and outlines the process to issue, document, and track an ITA/ATA.

Participants may access training services through Training Providers who have met eligibility requirements set by the state in order to be listed on the state managed Eligible Training Provider List (ETPL). As the local Workforce Development Board (WDB), San Diego has additional eligibility requirements to ensure the trainings provided are in occupations with regional growth projections and locally-sustainable wages, as well as meeting the needs of the region's employers. Participants may access registered apprenticeship programs approved by the Division of Apprenticeship Standards (DAS) that are listed on the State managed ETPL.

The ITA & ETPL Policies and Procedures applies to Training Providers that currently have or are interested in listing programs on the San Diego ETPL to receive Workforce Investment and Opportunity Act (WIOA) funding. Approved Training Providers are subrecipients of San Diego Workforce Partnership (SDWP). *Please note that other Workforce Development Boards may have ETPL policies which vary based on their needs. A Training Provider interested in serving multiple Workforce Development Boards must review and comply with the ETPL policies of each area where they wish to operate. SDWP does not review or approve Training Providers to operate in areas outside of San Diego.*

Eligible Training Providers

Accredited institutions, with approved BPPE status, must apply and be added to the San Diego ETPL.

These institutions provide in-demand occupational trainings and certifications to participants.

AJCC Services

AJCC case managers review the ETPL with the participant and work with the training provider to enroll them into locally-approved programs/ courses.

Training Funds

The AJCC's work with the training provider to create an ITA/ATA agreement. Once the participant begins training, the training provider can be reimbursed* using WIOA funding.

*ITA's & ATA's are reimbursed up to the cost of the program/course or up to the maximum reimbursement allowed, as per ETPL, ITA and ATA policy, whichever is less.

A. BACKGROUND

WIOA requires states to establish a list of Training Providers who are eligible to receive WIOA funds and to establish procedures for initial eligibility and subsequent eligibility. On July 22, 2015, the California Workforce Development Board (State Board), released WSD15-07, revising the existing ETPL requirements; these criteria inform SDWP's ITA & ETPL Policies and Procedures.

Under this policy, "Local boards may establish local policies requiring performance above the state minimum standards for Training Providers to be included on the ETPL." As such, the San Diego Workforce Development Board (SDWDB), in response to the needs of job seekers and employers, approved a more stringent set of ETPL requirements in June 2017. This policy reflects the latest requirements approved by the SDWDB.

II. ETPL POLICIES AND PROCEDURES

The following sections list the requirements for a Training Provider to be added to and remain in good standing on the ETPL for the SDWDB. Training providers of On-the-Job Training (OJT), Customized Training (CT), Contracted Training, Incumbent Worker Training (IWT), internships, paid or unpaid work experience opportunities, and transitional employment **are not** subject to the ETPL requirements outlined below.

A. APPRENTICESHIPS

If your program has been approved by the **Division of Apprenticeship Standards**, please fill out a **DAS ETPL Application** and send to ETPL@dir.ca.gov or mail to the Division of Apprenticeship Standards at P.O. Box 420603, San Francisco, CA 94142 for inclusion on the statewide ETPL for apprenticeships.

If you have any questions, please contact Victor Rodriguez, Senior Apprenticeship Consultant for San Diego, at VRodriguez@dir.ca.gov or (619) 767-2045

Apprenticeship Training Programs (ATA) that have been approved through the **Division of Apprenticeship Standards** (DAS) are automatically eligible for the ETPL. Please refer to Eligibility for ATA Program Admission for specific program requirements. Refer to Department of Industrial Relations (DIR) DAS list for San Diego County for a list of available apprenticeship programs

1. ATA Registration Process

Please submit the following to be included on the ETPL:
- **EXHIBIT - ETPL APPLICATION & ACKNOWLEDGEMENT FORM**
- Copy of the submitted CA ETPL **DAS ETPL Application**
  - Costs listed under "other" must be itemized, if requested
- Copy of current W-9
- Copy of refund policy
- **ATTACHMENT - EO WIOA SECTION 188 COMPLIANCE CHECKLIST**

B. INITIAL ELIGIBILITY REQUIREMENTS

Initial eligibility for the San Diego ETPL applies to all Training Providers, with the exception of apprenticeship programs registered under the National Apprenticeship Act (NAA) or recognized by Department of Industrial Relations (DIR) or Division of Apprenticeship Standards (DAS).

Note that ETPL requirements are specific to the needs of the SDWDB and as such, even if a Training Provider received initial approval for inclusion in an ETPL in another county, the training provider must still comply with the process outlined below.

To meet initial eligibility, a Training Provider must:

1. Accreditation

Have current accreditation status through an accrediting body recognized by the Department of Education.

2. BPPE Approval

Possess a current "approval to operate" with expiration date or exemption status from the Bureau for Private Postsecondary Education (BPPE).
   a. Notable exceptions include public schools or institutions, such as community colleges, apprenticeships or school districts — these only require an accreditation.

3. ID/HID Jobs

Train for jobs that are considered in-demand (ID) or higher in-demand (HID) in San Diego County. The list of ID/HID jobs is updated on a yearly basis (March/April).

4. Financial Solvency

Training Provider must have been in operation for at least six (6) months as of the date of application and must be able to provide proof of financial solvency without the need for subsidy from WIOA training funds. SDWP reserves the right to request financial documentation which includes Profit & Loss, Balance Sheet, and Statement of Cash Flow. For previously approved Training Providers, SDWP may require a declaration of the percentage of total organizational income made up by WIOA funding.

5. Debarment

Training Provider cannot be debarred from doing business with the Federal Government as per the System for Award Management (SAM.org) database governing acquisitions.

6. Equal Opportunity

Training provider must comply with all Equal Opportunity (EO) Policies and Procedures as outlined in **SDWP Operations Manual, Chapter 9: Nondiscrimination & Equal Opportunity Policy and Complaint Procedures**. This includes compliance with grievance and criminal activity reporting requirements. Training Provider may be monitored by SDWP or a third-party monitor each year and must complete **ATTACHMENT - EO WIOA SECTION 188 COMPLIANCE CHECKLIST** *found in the* **SDWP Operations Manual, Chapter 8: Monitoring** during the annual review period (April/May).

7. Authorized Contacts & Signatories

Training Provider must keep up-to-date contacts in CalJOBS and provide written documentation to SDWP of changes to the main point of contact. Those authorized to sign the **EXHIBIT - TRAINING AGREEMENT** must be included as a contact in CalJOBS and submit an **ATTACHMENT - ETPL SIGNATURE AUTHORIZATION FOR TRAINING AGREEMENTS** to authorize payments. If the signatories are updated, a new form must be submitted.

8. Refund Policy

Training Providers are required to refund to SDWP all or a portion of the cost of the training if a participant does not complete the program. If a provider has a tiered (i.e., allows for full and/or partial refunds depending on portion of program completed) drop and refund policy which has been approved by the accrediting body and is publicly available to all perspective students, that policy may be used; however, a copy must be provided to SDWP for review and approval.

If the Training Provider does not have a drop and refund policy in place and/or the drop and refund policy is not tiered (i.e., does not allow for full and/or partial refunds depending on portion of program completed) the provider must adopt and publish the below refund policy:

Status	Refund Level
Registered but did not start program	No payment will be made to provider
Attended 7 days or fewer of program (prior to drop date)	Full refund – due to SDWP within 30 days of course start
Attended less than 75% of program	Partial refund – due to SDWP prior to course completion
Attended 76%-100% of program	No refund required

Failure to appropriately refund SDWP, or significant delays in issuing refunds, may result in removal from the ETPL. Any refund due to SDWP must be received within thirty (30) days of the discontinuation. When issuing a refund, the training provider must notify the AJCC staff and include a copy of the **EXHIBIT - TRAINING AGREEMENT**.

If an accredited, approved Training Provider chooses to work with a third party to deliver any services using WIOA funds, that third party is also subject to the above drop and refund guidance. All refunds will be coordinated through the approved Training Provider only. SDWP will NOT work directly with any third parties. The approved Training Provider is responsible for any and all resolution required with its third parties.

Please review the section Voids and Discontinuations for added definitions and the Training Agreement refund process.

C. THIRD PARTY AGREEMENTS

Approved Training Providers, except Community Colleges, CSU, and UC programs, may enter into agreements with training organizations to deliver content on their behalf. In doing so, the approved Training Provider accepts all liability and certifies that the program, as submitted to SDWP via CalJOBS, meets the approved Training Provider's requirements for content and instructors as well as all other SDWP policies and procedures. The approved Training Provider is the sole contact for SDWP. Approved Training Providers must notify SDWP of any program that will be delivered by training organizations or other third parties. SDWP reserves the right to audit or review any course or instructor qualifications at any time.

1. Community College, CSU, and UC

All programs approved for ETPL at California Community College, CSU and UC's must be offered by the WASC recognized training provider and not subcontracted out by the training provider to a third-party vendor to be considered eligible (WSD 15-07, Attachment 1, page 11).

D. ETPL APPLICATION PROCESS

The following section outlines the process for Training Providers to be listed on the San Diego ETPL.

Review the following documents and ETPL resources:
- Visit the ETPL Homepage (http://workforce.org/etpl). This is the location of the most current ETPL list for San Diego County. The homepage also outlines the application process, the process to request a new program, updating active programs, informational webinars, and FAQ's
- For questions regarding ETPL, email inquiries@workforce.org
- Review **SDWP Operations Manual, Chapter 9: Nondiscrimination & Equal Opportunity Policy and Complaint Procedures**
- Review **EXHIBIT - LIST OF IN-DEMAND/HIGHER IN-DEMAND JOBS** to ensure the training providers programs meet the local criteria.
- Review **EXHIBIT - ETPL APPLICATION & ACKNOWLEDGEMENT FORM** to insure the training provider meets all of the eligibility requirements listed above.

Application Process

1. Complete and/or provide the following documents and email to ETPL@workforce.org or via website submission at the ETPL Homepage (http://workforce.org/etpl):
   - **EXHIBIT - ETPL APPLICATION & ACKNOWLEDGEMENT FORM**
   - Copy of accreditation status
   - Copy of BPPE approval, if applicable
   - Copy of refund policy
   - Current W-9
2. SDWP will review all submitted materials, request clarification or follow up as necessary and confirm that the organization is not debarred from doing business with the federal government.
3. Confirmation of approval or denial will be issued within 30 days from the receipt of the application.
4. If approved, training providers must review provided instructions to register their institution on CalJOBS in **SDWP Operations Manual, Chapter 5: CalJOBS Data Entry Policies and Procedures**

5. Eligible Training Providers must then submit **EXHIBIT - ETPL NEW PROGRAM REQUEST**, as outlined below.

E. TRAINING PROGRAM ELIGIBILITY AND APPROVAL PROCESS

The following section outlines the process for training programs to be listed on the San Diego ETPL, offered through an eligible Training Provider.

1. Apprenticeship Programs

Refer to Department of Industrial Relations (DIR) DAS list for San Diego County for a list of available apprenticeship programs. Individual apprenticeship programs will be listed on the local ETPL, once approved for WIOA services by DAS.

The list of apprenticeship programs in CalJOBS is managed by DIR at the state level. SDWP is not responsible for managing this list. Once the program is added under WIOA services, the training provider should notify SDWP by emailing inquiries@workforce.org so the program can be added to the local ETPL.

2. Credentials, Certificates or Degrees

Training must result in the awarding of an industry-recognized credential, national or state certificate or degree, including all industry appropriate competencies, licensing and/or certification requirements. Training Providers must demonstrate as part of the initial eligibility process the mechanism for awarding such credentials, certificates and/or degrees. Regardless of whether the Training Provider's program requires a third-party certification for credential attainment/national or state certificate award, the Training Provider is responsible for appropriately reporting such attainment to SDWP. Copies of credentials/certificates must be made available to SDWP and the AJCCs (Career Centers), if requested.

3. ID/HID Criteria

EDD mandates the following: "The ETPL includes locally approved training programs that lead to self-sustainable careers in the local/regional economy, as supported by current labor market information identifying industry sectors and occupational clusters that are high-growth, high-demand, projecting skills shortages, and/or vital to the regional economy." The list of ID/HID jobs is updated on a yearly basis (April/May) using data based on ten (10) year projections from EMSI. Three criteria are used in this determination: wages, projected growth rates and projected number of annual job openings. Growth and annual openings for ID jobs is plotted using the 50th percentile, while growth and annual openings for HID jobs are at the 90th percentile.

	Apprenticeships (Not ID/HID)	In-Demand (ID)	Higher In-Demand (HID)
Wages	Local minimum wage or above	$15.99/hr	
Projected Growth Rate	N/A	10% AND	27% OR
Annual Job Openings	N/A	70+	666+
Training Funds Cap	$3,000	$5,000	$7,000

4. Course Fees

The course fees must be competitive with similar courses offered in the region. SDWP reserves the right to request supporting documentation to demonstrate a cost comparison within the region. SDWP gives priority to high quality training which is available free of charge or at low cost to participants.

Tuition costs must be equal to or less than the published rate on the institution website or catalog. The total course fees must include all costs associated with successful completion of the program course, including textbooks, fees, exam costs, and other materials. If textbooks, class fees, or other materials are not included in the published rate, Training Provider must provide a breakdown of additional costs to SDWP as part of the **EXHIBIT - ETPL NEW PROGRAM REQUEST**.

The total course fees may exceed the maximum payout for ID and HID jobs. The Training Provider must provide the actual cost of the program, which can be reflected in either an online or printed catalog for verification. The remaining balance of the total cost of the program can be covered by financial aid and must be documented on the **EXHIBIT - TRAINING AGREEMENT**.

5. SOC (ONet) and CIP Codes

SOC codes are used by SDWP and within CalJOBS to determine whether or not the course offered by the training provider meets the ID/HID eligibility criteria. The SOC codes are also used by AJCC case managers and participants to search for courses offered within preferred occupations.

CIP codes are used by the Department of Education to track and report fields of study and program completions at accredited institutions.

Both the SOC code and CIP codes must align with the course being offered.

Note: While only one code is needed to verify ID/HID for ETPL inclusion, the Training Provider should include all SOC and CIP codes on the program page in CalJOBS for participant's who are searching for courses based on occupations.

6. Program Location

Program locations may vary between main campuses, satellite campuses, and online courses. When submitting a new program for approval, the Training Provider must provide the location where the course is being offered.

If a course is offered at multiple onsite locations, only one program request submission is required, as long as all the available locations are listed on CalJOBS.

If a course is being offered at both onsite location and online, the Training Provider must list them as separate programs and label them accordingly in CalJOBS. Those programs available online should include "online" in the program/course name (i.e. "Accounting - Online"). Onsite locations do not need a location keyword in the program/course name.

7. Term of Program Eligibility

Course fees, course description, and SOC and CIP Codes, and course information included in the must remain the same for the entire term of the program eligibility: *July 15th through June 15th* of the following year.

Program Approval Process

1. Register the new program on the CalJOBS website under the approved Training Provider profile. Reference **SDWP Operations Manual, Chapter 5: CalJOBS Data Entry Policies and Procedures** for required fields and procedures.
   - *Please do not use "All Caps" in the program/course name unless denoting an acronym.*
   - *Note: The program name does not need to note "exam/vouchers, etc. included," as the policy on programs included on the ETPL require the program to lead to an industry-recognized credential. As such, exams/vouchers, etc. must be included as part of the total cost of the program.*
2. Complete **EXHIBIT - ETPL NEW PROGRAM REQUEST** and email to ETPL@workforce.org or via website submission at the ETPL Homepage (http://workforce.org/etpl) **within 48 hours of submitting the information on CalJOBS**
3. SDWP will review the information on the form and compare it to the information entered on CalJOBS. All information must be identical. If accurate, SDWP will approve the program to be listed on the San Diego ETPL Homepage.
4. Once SDWP approves a program(s), the program becomes visible to the America's Job Centers of California (AJCC) network and is accessible to the general public through www.caljobs.ca.gov under "Education Services."
   - *Note: AJCC Case managers may not enroll any participants into approved training programs if the information in CalJOBS does not match the San Diego ETPL on the ETPL Homepage. SDWP is not responsible for content accuracy on CalJOBS and may delist programs whose information does not match with what was approved.*
   - *SDWP makes no guarantees of minimum enrollments for approved programs or Training Providers. Enrollments of participants in San Diego's ETPL programs are dependent on funding and participant training needs.*
5. *New program requests can be submitted at any time during the year and will be valid through the end of the current term of program eligibility.*

F. PERFORMANCE REQUIREMENTS

Each training provider is held accountable to the state-mandated performance requirements. Performance is reviewed each program year on a per program basis; SDWP will publish a quarterly report for use in tracking performance. Minimum Performance Goals are as follows:

Metrics	Minimum Performance	Frequency	Calculation Approach*
Program Enrollment	Minimum of 1 new enrollment per program year	Reported quarterly	Count of participants enrolled in an ITA program as recorded in CalJOBS between July 1 and June 30th
Successful Completion	80% of WIOA students who completed training within the program year	Reported quarterly; must meet 80% target by end of program year	Number of participants who have a successful completion status for their ITA divided by number of participants who completed training during the year, as recorded in CalJOBS.
Credential Attainment**	80% of WIOA students who exited their WIOA program or received a credential within the program year	Reported quarterly; must meet 80% target by end of program year	The numerator is the number of participants who received a qualifying credential between the start of their ITA and their exit from WIOA, as recorded in CalJOBS. The denominator is the number of participants who exited WIOA during the year, completed training, and did not receive a qualifying credential, plus any additional participants included in the numerator, as recorded in CalJOBS. The credential attainment rate is this numerator divided by this denominator.
Entered Employment (Any Field)	75% of WIOA students who exited their WIOA program within the program year	Reported quarterly; must meet 75% target by end of program year	Number of participants who have employment recorded at exit from WIOA during the year divided by number of participants who exited WIOA during the year, as recorded in CalJOBS. Participants are counted in the measure regardless of type of employment; employment does not have to be directly tied to training.
Entered Employment	Tracking measure only	Tracking measure only	Number of participants who have employment recorded at exit from WIOA during the year divided by number of participants who exited WIOA during the year, as recorded in CalJOBS.
Related Occupation (SOC code-based)			Participants are only counted in the numerator if they are employed in the occupation for which they were trained by the program (as determined by SOC code).
Median Earnings	Tracking measure only	Tracking measure only	Measured as total individual income during quarter among participants who completed the training program, exited WIOA and are employed.

*All participant CalJOBS data entry (e.g. enrollment, credential attainment) will be performed by the Americas Job Center of California (AJCC)

**ETPL Training Providers are required to report credential attainments to the AJCC within 30 days of attainment

SDWP also reserves the right to remove any Training Provider, including all programs with that Training Provider, when the provider, evaluated in aggregate over all ITA participants served by that provider, consistently underperforms.

1. Performance Scorecard

SDWP publishes the ETPL Performance Scorecard on a bi-monthly basis to notify Training Providers and AJCC staff of the current status of the ETPL performance metrics for WIOA participants. The Scorecard is available on the ETPL homepage. The performance is calculated on a "program year" basis and NOT "calendar year." These metrics cannot be used for the performance reporting requirements listed below.

2. Performance Reporting Requirements

Training providers must enter performance data into CalJOBS for both WIOA and non-WIOA participants in each training program by March 30th of each year. The period of reporting will be the calendar year (January 1st – December 31st) of the latest published performance period for BPPE. SDWP staff will notify training providers of the required performance reporting period at the beginning of each calendar year.

i. *Performance Reporting Requirements – BPPE Exempt Providers*

Training Providers who are BPPE exempt must also enter performance data into the CalJOBS system by March 30th each year and submit a "BPPE Exempt Provider Program Performance Report" (WSD15-07, page 21-22).

ii. *Performance Reporting Requirements – New Programs*

New training programs are programs that have not been offered to the general public. New does not mean "new to WIOA or the ETPL." New programs will be required to enter performance data from 12-24 months. New programs will have a maximum of 24 months to demonstrate compliance with required metrics.

3. Participant Progress Reports & Attendance Records

The training provider shall also assist AJCC staff with completing the required Progress Report & Attendance records as part of the performance documentation.

4. Performance Waivers

Training providers may receive a one-time only, single year subsequent eligibility waiver for a program that does not meet the negotiated state-level performance goals. SDWP holds the rights to choose to apply for a waiver, based on program demand and subsequent eligibility, and the training program must be inactivated until the State Board has decided to approve the waiver request.

To approve a waiver for a training program, SDWP shall ensure the program meets WIOA provisions and the current local ETPL eligibility requirements. In addition, the training program must also meet, or exceed, 80% of the negotiated state-level performance goals.

SDWP shall complete the *CA ETPL Subsequent Eligibility Program Performance Waiver Request* on behalf of the training provider and send the request to the attention of the State Board. The training provider shall assist SDWP on any requested information in order to complete the waiver.

G. PROGRAM UPDATES

Program Updates will only be allowed on an annual basis during the annual review period. *The annual review period will begin on April 1st and end June 15th. Changes to the ETPL will be effective July 15th*

1. Cost Updates

The original price of the training program submitted with the approved program application must be used for the duration of the program term. The new price will take effect after SDWP approves the price change during the annual review period, effective July 15th. If a Training Provider makes a price change without approval, SDWP reserves the right to delist the program or limit reimbursement to the approved price.

2. SOC and CIP Code Updates

The original SOC and CIP codes of the training program submitted the approved program application must be used for the duration of the program term. If a program is removed from the San Diego ETPL due to the annual ID/HID review, the Training Provider can follow the program update process below during the annual review period to update the codes, if applicable. If a Training Provider makes coding change without approval, SDWP reserves the right to delist the program.

3. Location Updates

Training Providers may update locations for their programs at any time by adding/deleting locations on their CalJOBS profile. If the Training Provider would like a previously approved onsite program to be made available online, they must submit an **EXHIBIT - ETPL NEW PROGRAM REQUEST.**

4. Other Updates

Other information may be updated on CalJOBS in order to provide accurate information to the AJCC's and/or participants at any time throughout the year without prior approval from SDWP.

Program Update Process

1. Update the program on the CalJOBS website during the annual review period - *between April 1st – June 15th.*
   - Reference **SDWP Operations Manual, Chapter 5: CalJOBS Data Entry Policies and Procedures** for required fields and procedures.
   - SDWP Staff will review the program during the annual review period and the continued eligibility process.
   - Once approved, *The effective date of the program update will be July 15th*
2. Once SDWP approves a program(s), the program becomes visible to the America's Job Centers of California (AJCC) network and is accessible to the general public through www.caljobs.ca.gov under "Education Services."
   - *Note: AJCC Case managers may not enroll any participants into approved training programs if the information in CalJOBS does not match the San Diego ETPL on the ETPL Homepage. SDWP is not responsible for content accuracy on CalJOBS and may delist programs whose information does not match with what was approved.*

H. SUBSEQUENT PROGRAM ELIGIBILITY & ANNUAL REVIEW

SDWP will evaluate all programs on the San Diego ETPL—with the exception of DIR/DAS apprenticeship programs above— at least once per year, during the annual review period to ensure that they continue to meet eligibility requirements beyond the period of initial eligibility. This determination is called "subsequent eligibility." *The annual review period will begin on April 1st and end June 15th. Changes to the ETPL will be effective July 15th.* SDWP's review will include but not be limited to:

1. Proof of Compliance

Training Providers will be required annually to submit proof of accreditation, BPPE approval, changes in course costs, current W-9, financial solvency, and any updates to documentation received during Initial Eligibility Requirements to inquiries@workforce.org. SDWP will also take into consideration timely notification of changes and general responsiveness. Providers which have become debarred from doing business with the Federal Government will be removed from the ETPL.

    a) Training provider must provide SDWP written documentation of any changes to accreditation status or approval to operate within 10 business days of notice or expiration.

2. CalJOBS Performance Reporting

CalJOBS Performance Reporting includes enrollments, completion rate, credential attainment rate, entered employment rate, and median wage data for both WIOA and non-WIOA participants on an annual basis. Training Providers may be delisted if performance metrics are not met for the year.

3. AJCC Feedback

AJCC staff will provide feedback on the Training Providers they have worked with during the program year. This will focus on information such as accuracy of information, responsiveness, refunds process, etc.

4. Participant Satisfaction Surveys

Surveys will be sent to each participant upon completion of their program. Data will be reviewed for trends by program as well as across Training Providers.

5. Annual ID/HID Review

Programs will be reviewed on an annual basis to ensure they meet the most current ID/HID eligibility criteria, as it is updated. Programs may be removed from the ETPL if the current SOC/CIP codes have been removed from the **EXHIBIT - LIST OF IN-DEMAND/HIGHER IN-DEMAND JOBS**. This will not affect participants who were already enrolled in the program/course prior to the effective date.

6. Market Review

SDWP will review tuition and fees for each course and similar courses in the area to determine that fees are competitive.

7. CalJOBS Review

SDWP will review the information in CalJOBS to ensure the information is accurate and identical to the current ETPL. If a Training Provider makes a change during the term of eligibility without approval, SDWP reserves the right to delist the program.

8. Site Visits

SDWP will perform an onsite review of the training facility, interview staff and participants. This review will focus on areas such as accessibility, cleanliness, and compliance with requirements. Site visit reports will be issued documenting all findings; provider will have 30 days to address any deficiencies and may be de-listed if appropriate action is not taken. A copy of the site visit checklist will be provided in advance of each visit.

I. OUT-OF-STATE TRAINING PROVIDERS

Training providers headquartered outside of California who have in-state training facilities may provide training services in San Diego but will be required to comply with the eligibility requirements outlined in this policy. Training providers will also be required to create an entry in CalJOBS which includes the local address; if approved for inclusion on the San Diego ETPL list, the ETPL team will provide further guidance on proper data entry in CalJOBS. Training providers which deliver content fully online will be looked at on a case-by-case basis.

J. COMPLAINTS

If a participant wants to submit a formal complaint to SDWP, please document it by sending an email to complaints@workforce.org

K. DENIALS

SDWP may deny a new application for a Training Provider or training program ("initial eligibility") if:
- The Training Provider and/or its program(s) fail to meet the minimum criteria for initial listing as specified in section Initial Eligibility Requirements above;
- The application from the Training Provider is incomplete;
- The Training Provider intentionally supplied inaccurate information; or
- The Training Provider substantially violated any WIOA requirement(s) or is debarred;
- The program needs, funding or convenience do not require the service;
- The training program is available for free or lower cost from another source in the community.

The following outlines processes for notices related to denials:
- If SDWP denies a Training Provider's initial application for listing on the ETPL, SDWP shall, within thirty business days of receipt of the application, inform the provider in writing and include the reason(s) for the denial.
- If EDD denies a Training Provider's program list on the ETPL, EDD must within 30 days of receipt of the recommendation, inform SDWP of the denial and reason(s) for the denial. SDWP shall in turn inform the provider in writing and include the reason(s) for the denial.
- If EDD, in consultation with SDWP, determines that a Training Provider intentionally supplied inaccurate information, or substantially violated any WIOA requirement(s), EDD or SDWP shall terminate the eligibility of the provider, remove the provider from the ETPL and deny the provider's eligibility to receive funds under WIOA section 133(b) for at least two (2) years, or take other action as deemed appropriate.

Please note: Unless the Training Provider has been otherwise advised by another WDB, denial is only applicable to the San Diego area and does not impact the delivery of services elsewhere in California or the United States.

L. DELISTING

SDWP may delist from the San Diego ETPL a previously approved Training Provider or program ("subsequent eligibility") for any of the following reasons:

- The Training Provider did not maintain the minimum performance criteria for subsequent eligibility;
- The Training Provider is now debarred from doing business with the Federal Government;
- The Training Provider failed to meet reporting requirements (Title 5 California Code of
- Regulations Division 7.5);
- At least 5 WIOA participants have not enrolled in the training program for the previous program year (July 1 through June 30);
- The Training Provider lost its accreditation and/or BBPE license;
- The Training Provider has experienced fraud, malfeasance or other illegal activity involving WIOA funds or participants;
- The Training Provider has not complied with Equal Opportunity guidelines as outlined in Chapter 9 of the Operations Manual
- Participant satisfactions surveys demonstrate a history of challenges with the program or provider;
- The Training Provider receives complaints by participants, which has been vetted by SDWP;
- The Training Provider has a history of failure to provide refunds as required under the policy;
- SDWP program needs, funding or convenience no longer require the service;
- The training program is available for free or lower cost from another source in the community.

Please note: Unless the Training Provider has been otherwise advised by another WDB, delisting is only applicable to the San Diego area and does not impact the delivery of services elsewhere in California or the United States.

M. APPEALS PROCESS

To appeal SDWP's denial/de-listing submit the appeal to SDWP within 14 days of the issuance of the denial/de-listing notice. The appeal must be in writing and include:

     a) name of training provider
     b) training program(s) impacted
     c) training provider point of contact
     d) point of contact phone and email
     e) a statement of the desire to appeal
     f) reasons for the appeal, including documentation supporting the grounds for the appeal
     g) signature of the appropriate training provider official

All appeals must be submitted to inquiries@workforce.org. If SDWP finds the appeal to be valid, an audit will be performed including, but not limited to: participant interviews, faculty interviews, documentation of classroom/course requirements, and peer reviews.

1. EO Appeals

SDWP's EO Officer/Grievance Officer serves as the hearing officer for all EO complaints and appeals. Refer to *SDWP Operations Manual, Chapter 9: Nondiscrimination & Equal Opportunity Policy and Complaint Procedures*.

N. REACTIVATION

SDWP may reactivate a program previously removed from the San Diego ETPL if the Training Provider makes a written request to SDWP via inquiries@workforce.org to reactivate the program and demonstrates compliance with all eligibility requirements. Note that reactivation is at the discretion of SDWP.

Please note: Unless the Training Provider has been otherwise advised by another WDB, reactivation is only applicable to the San Diego area and does not impact the delivery of services elsewhere in California or the United States.

O. POLICY CHANGES

SDWP will update this policy based on changes to the Federal and State laws, regulations and guidance, training program performance data, local economic and labor market conditions and/or other local priorities.

III.ITA/ATA POLICIES AND PROCEDURES

The following sections list the requirements for the AJCC operator to provide ITA's/ATA's using the approved ETPL.

A. ELIGIBILITY FOR ITA TRAINING SERVICES

Under the WIOA there are two levels of services: Basic and Individualized services. A determination that a participant needs individualized and/or training services can be made without regard to how long the individual has been receiving services at each level. Participants in Adult programs must meet eligibility requirements, before being provided training services. Eligibility for services is found in *SDWP Operations Manual, Chapter 7, Part 1: WIOA Adult and Dislocated Worker Program Eligibility*.

Training services are available to those participants who are unable to find employment. Need and ability to benefit from WIOA funds must be established and the participant must have the skills and qualifications to successfully complete the training program. An individual's need for training shall be determined through an assessment. Participants with marketable skills within an ID occupation shall not be deemed eligible for WIOA funded training.

Under WIOA, ITA's will be used when training at no cost cannot be found or provided in a timely manner. Participants must meet the financial need requirement of being unable to obtain grant assistance from other sources to pay partial or full costs of such training.

All other training options and funding sources, including ETPL funds shall be exhausted prior to utilizing WIOA ITA funds. America's Job Center of California (AJCC) staff shall monitor and track each participant's financial aid. ITA's will provide participants the maximum participant choice in services and in training schools, and the flexibility needed to obtain training in demand occupations in the changing economy of the San Diego Region. Each AJCC Operator shall be accountable for developing and managing an ITA process that provides training opportunities to participants who express an interest in, and need for, training opportunities. AJCC Operators must show evidence of exhausting all other funding sources through documentation in CalJOBS.

B. ELIGIBILITY FOR ATA PROGRAM ADMISSION

A Registered Apprenticeship is industry-driven where employers determine the skills that are essential to sustain a quality workforce. Similar to ITA's or OJT's, Registered Apprenticeships target participants who need training and prepares them for in-demand occupations throughout San Diego County. However, unlike ITA's and OJT's, Registered Apprenticeships include both classroom and OJT training, and participants earn wages while training.

Apprenticeship training is an "Earn and Learn" model. The length of the apprenticeship training will vary by occupation. The apprentice is hired as an employee within the training field and earns wages once accepted into the program. To be a registered apprenticeship, an apprentice is required to attend a minimum of 144 hours *per year* of classroom training and obtain 2,000 hours of on-the-job training. Additional classroom training hours are accrued on a six-month basis with a requirement of 72 hours per period.

1. ATA Program Admission

A participant must be accepted by a registered apprenticeship's program sponsor prior the execution of an ATA. Sponsors are employers, or groups of employers, who identify the minimum qualifications applicants must meet in order to apply for their apprenticeship program. Minimum qualifications and credentials to apply may include education, ability to physically perform the essential functions of the occupation and proof of age. Additional qualification standards, such as interviews, school grades and previous work experience may be required. Participants must be at least 18 years old to apply to a registered apprenticeship; however, the minimum age and minimum education requirements may be waived for Participants who are accepted and registered as a student/apprentice in the school-to-registered apprenticeship program. At no time may the student/apprentice be less than 16 years of age.

Through the apprenticeship agreement, an apprentice receives supervised, structured OJT training combined with related technical classroom instruction that provides the knowledge required to perform at a highly-skilled level.

At the end of the apprenticeship, all apprentices must receive an industry-recognized credential. Some apprenticeship programs offer interim credentials as apprentices achieve important milestones during their apprenticeship.

2. Apprenticeship Training Procedures

Refer to Department of Industrial Relations (DIR) **DAS list for San Diego County** for a list of available apprenticeship programs and for assistance on enrollment into a registered apprenticeship program.

The length of the WIOA supported apprenticeship training shall include the probationary period (varies by sponsor) and the first 144 hours of classroom training. These first 144 hours of training must take place within 18 months from the start of the program. The ATA will be used to support classroom activities of the apprenticeship program and not OJT training activities.

Once the participant (apprentice) progresses through the probationary period plus the first 144 hours of training, the participant shall be exited from WIOA as "entered employment."

Registered apprenticeships must pay Apprentices, at minimum, the local minimum wage during the OJT for the duration of the program. Upon completion of the apprenticeship, it is the goal of the program that the self-sufficiency wage identified in the **EXHIBIT - LIST OF IN-DEMAND/HIGHER IN-DEMAND JOBS** is met upon placement in employment in a related occupation.

C. MAXIMUM ITA/ATA REIMBURSEMENT

1. Non-Apprenticeships (ITA's)

The ITA cap shall not exceed $5,000 for any participant for ID occupations. For occupations that are HID, the ITA cap shall not exceed $7,000. ID and HID occupations are defined in **EXHIBIT - LIST OF IN-DEMAND/HIGHER IN-DEMAND JOBS**

2. Apprenticeships (ATA's)

The ATA caps remain the same as ITA's for apprenticeships that fit within ID/HID occupations. For apprenticeship programs listed on the state ETPL that are not training for occupations on the local ID/HID list, that cap shall not exceed $3,000 per participant.

SDWP will only reimburse for costs related to classroom training. WIOA funds cannot be used to pay for wages or for any additional services that are duplication of services under WIOA Title I, including, but not limited to: case management and other career services provided through the AJCC.

Note: The ITA/ATA cap in place at the time of the SDWP approved Training Agreement must be adhered to with no exceptions.

D. PARTICIPANT RESEARCH

Following assessment and identifying the need for training, the participant shall begin ITA/ATA research:
1. Participants shall complete research on two training providers on the approved ETPL using the internet or information available at the AJCC. The participant is required to complete a physical site visit to a minimum of one school to determine if the facilities are adequate and accessible. The participant must consider transportation, classroom setting, and if applicable, necessary accommodations for persons with disabilities.
    a. If a training is online, the participant must have consistent access to a computer and any necessary equipment to complete the course. The case manager must document the reason for choosing an online course in the CalJOBS case note.
    b. Training provider research may be conducted at just one location at the discretion of the AJCC Operator to streamline the ITA/ATA process. The justification for a waiver to complete only one training provider research must be documented in the CalJOBS case note.
2. The AJCC staff will enter the following CalJOBS case note with the subject line: *ITA Research* under the appropriate grant.

Onsite

The participant researched Name of Training Provider *and* Name of Training Provider *using information on the approved ETPL and* method used to research. *The participant chose to visit* Name of chosen Training Provider *and has chosen the training provider* List specific details regarding the participant's choice. *The participant has completed all pre-requisites and requirements for this training course, including* List any prerequisites and requirements *and is eligible to begin.*

Online

> *The participant researched* Name of Training Provider *and* Name of Training Provider *using information on the approved ETPL and* method used to research. *The participant chose* Name of chosen Training Provider *and has chosen the training provider* List specific details regarding the participant's choice *and has adequate access to a computer and the necessary equipment to complete the online course. The participant has completed all pre-requisites and requirements for this training course, including* List any prerequisites and requirements *and is eligible to begin.*

3. It is also recommended, although not required, that participants contact a minimum of one business to inquire about the feasibility of obtaining employment upon completion of the chosen training program. Participants must determine whether the selected training program meets all employment requirements (i.e., credentialing, internship, skill standards).

E. REQUEST FOR FUNDS

When the participant has completed research and has chosen a school and a training program, it is the responsibility of the AJCC to track and manage ITA/ATA funds based on their approved allocation. The AJCC staff shall submit a Request for Funds to the Training Funds Coordinator at the AJCC, who will manage the training funds in the tracking system.

1. Leveraged Funds

The Training Funds Coordinator shall track any non-WIOA leveraged funds using the training funds tracking system, including but not limited to: grants, financial aid, and employer contributions.

F. TRAINING BLACKOUT PERIOD

Trainings may not start during the blackout period of June 15th through July 15th during the ETPL continued eligibility process.

G. TRAINING AGREEMENT

The AJCC staff shall generate the **EXHIBIT - TRAINING AGREEMENT** and obtain all the necessary signatures no less than seven (7) business days prior to the start date of training. SDWP Program Specialist or Program Technician must receive the ITA Authorization within three (3) business days of the AJCC Manager's signature date.

1. Training Agreement Number

The following shall be used to assign Training Agreement numbers:
- Region Code (1 digit) + Program Code (1 digit) + WIOA App ID (8 digits) + Program ID (3-5 digits)

Region Codes	*Program Codes*
E - East	**A** - Adult
M - Metro	**D** - Dislocated Worker
N - North	
S - South	

- Program ID numbers for approved programs will be listed on the published ETPL on http://workforce.org/etpl
- If a Program ID number is less than 5 digits, the Training Funds Coordinator shall use zeroes (0) in front of the number
- The Program ID number will be entered on the Activity Code in CalJOBS and must match the Training Agreement

> *Example Agreement Number:* **MA-12345678-00985**

2. Training Agreement Approval

a) SDWP staff shall date stamp the **EXHIBIT - TRAINING AGREEMENT** upon receipt.

b) In the event the **EXHIBIT - TRAINING AGREEMENT** has missing information or incorrect information, SDWP staff will notify the Training Funds Coordinator via e-mail that the agreement is being returned listing the specific reason(s) for the return. The date of the AJCC's signature remains the driving date to determine the agreement due date.

c) Within two (2) working days of receipt of the complete and accurate authorization, SDWP program team staff shall approve and forward the **EXHIBIT - TRAINING AGREEMENT** to SDWP's Finance Department. SDWP staff shall document approval if the agreement in the training funds tracking system.

d) SDWP's Finance Department shall enter the **EXHIBIT - TRAINING AGREEMENT** into SDWP's accounting system.

e) The AJCC staff shall document the training approval in the training funds tracking system. This must be completed prior to the start date of training.

f) The AJCC staff shall enter a case note in CalJOBS with the subject line: ITA/ATA Approval under the appropriate grant.

g) The AJCC staff shall notify the training provider of the approval via e-mail that the **EXHIBIT - TRAINING AGREEMENT** has been approved.

H. TRAINING DOCUMENTATION

1. Activity Enrollment Summary

The AJCC staff shall confirm that the participant started training and shall document confirmation with the CalJOBS activity code.

- ITA - 300
- ATA - 325

The following information must be entered on the activity code and/or case note at the start of training:

- Training Type
- Training Provider ID
- Program ID
- Location ID
- ITA Amount
- SOC Code

Note: The information on the Activity Code must match the information listed on the Training Agreement and the ETPL. Invoices submitted with conflicting information will delay payment.

2. Case Notes

The following sample case note shall be used:

> *On* Date *I called* Name of Training Provider *to verify that* Name of Participant *started training on* Date. *I spoke with* Name of Contact and Contact's Title. Name of Contact *verified that* Name of Participant *attended training program on *intended start date.*

*If the participant's start date was different than the "projected start date" noted on the **EXHIBIT - TRAINING AGREEMENT**, a case note should be used to document the change and the reason for the change. The change to the start date must be noted on the invoice portion of the **EXHIBIT - TRAINING AGREEMENT.**

I. TRAINING AGREEMENT INVOICE

SDWP Program Specialist or Program Technician must receive the invoice section as part of the original **EXHIBIT - TRAINING AGREEMENT** five (5) working days after the training start date. Once the invoice is received, there can be no changes to the **EXHIBIT - TRAINING AGREEMENT**.

1. Invoice Processing

The Activity Enrollment Summary, including the activity code and case note, must be attached to the invoice. Any information missing in the Activity Enrollment Summary will require a Data Change Request (DCR) and may delay processing of the invoice.

In the event that the invoice has missing or incorrect information, SDWP Program Specialist or Program Technician shall notify via e-mail to the AJCC Operator documenting that the Invoice has been returned and shall list the specific reason(s) for the return.

SDWP Program Specialist or Program Technician shall forward the approved invoice to the SDWP Finance Department for payment directly to the training provider, in full, within 30 days of receipt.

J. VOIDS AND DISCONTINUATIONS

Participants, at their right, may discontinue training at any point during the program. It is the responsibility of the AJCC Case Manager and Training Provider to work with each participant and ensure their training needs are met. However, a participant may not switch to a different program and/or provider under the same ITA/ATA Agreement, and may not be eligible for another ITA/ATA if they discontinue. Discontinuations will be evaluated on a case-by case basis by SDWP.

1. ITA/ATA Void

An ITA/ATA Void occurs when a participant decides to forego training: a participant does not start training and no costs are incurred, or a participant starts training, but discontinues within 5 days.

ITA/ATA Void Process
1. An ITA/ATA Void requires the **EXHIBIT - TRAINING AGREEMENT** to be voided within five (5) days of the training start date, if applicable.
2. If the participant has begun training, the AJCC staff shall submit a data change request (DCR) to have the activity code removed.
3. A case note noting the void and the reason for discontinuation must be added to the participant's profile in CalJOBS.

2. ITA/ATA Discontinuation

An ITA/ATA Discontinuation occurs when a participant starts training and discontinues training. If the participant's discontinuance is due to an unforeseeable emergency (i.e., documented illness) then the participant is eligible for reinstatement, based on approval.

*Note: If a participant would like to stop training and continue at a later date, this should be considered a "Planned Break in Service," rather than a discontinuation, if valid. Refer to **SDWP Operations Manual, Chapter 4. Part 1: Adult and Dislocated Worker Program Activities**. The break should be more than 90 days and must follow the guidelines of a planned break in service. If the participant will not/does not return to training, the ITA/ATA should be discontinued, and the participant will need to start a new ITA/ATA, if approved.*

ITA/ATA Discontinuation Process

1. An ITA/ATA Discontinuation requires the Discontinuation/Refund section of the **EXHIBIT - TRAINING AGREEMENT** be completed and submitted by the Training Provider with the refund amount within thirty (30) days.
2. The AJCC staff shall document the change and ITA/ATA status in a CalJOBS activity and shall update the CalJOBS activity code.
   - A case note noting the discontinuation and the reason for discontinuation must be added to the activity code.
   Note: Once the ITA/ATA Invoice has been received by SDWP, the training activity code cannot be removed from CalJOBS, regardless of payment/refund status.

K. PROGRESS REPORT & ATTENDANCE

The training provider must provide Chapter 4. Part I: **ATTACHMENT - PROGRESS REPORT FORM** on the participant's progress and attendance to the AJCC by the tenth working day of each calendar month, as part of the ITA Agreement. In the event that the participant fails to attend school, the training provider must inform the AJCC within three (3) days of consecutive non-attendance. In the event the student is terminated for non-attendance, the school must refund the unused WIOA training funds within ten (10) working days of the student's last date of attendance. If the training provider fails to provide progress and attendance reports, the Case Manager shall contact the training provider or Participant to obtain this information. All attempts to obtain the reports must be entered into CalJOBS.

L. REFERENCES

- WIOA (Public Law 113-128) Section 122 (a) through (h)
- Workforce Services Directive 15-07 (WSD15-07) Workforce Innovation and Opportunity Act Eligible Training Provider List Policy and Procedures
- Employment Development Department (EDD) Workforce Innovation and Opportunity Act Eligible Training Provider List Policy and Procedures
- Title 20 Code of Federal Regulations (CFR) "WIOA, Notice of Proposed Rule Making" (NPRM), Sections 680.400 – 680.530
- Training and Employment Guidance Letter (TEGL) 41-14, WIOA Title I Training Provider Transition (June 26, 2014)
- Workforce Services Information Notice (WSIN) 15-47, ETPL Performance Standard for WIOA Transition
- Senate Bill 118, Chapter 562, Statues of 2013
- California Labor Code Section 4658.7(e)
- California Private Postsecondary Education Act of 2009
- Assembly Bill Number 554 requires that the California Workforce Development Board and local Workforce Development Boards develop a policy regarding WIOA-funded apprenticeship programs approved by the Division of Apprenticeship Standards (DAS). SDWP's Apprenticeship Training Policy and Procedures was approved by the San Diego Consortium Policy Board (Policy Board) on November 21, 2014.
- Division of Apprenticeship Standards

IV.   EXHIBITS

ETPL APPLICATION AND ACKNOWLEDGEMENT FORM

ETPL NEW PROGRAM REQUEST

LIST OF IN-DEMAND/HIGHER IN-DEMAND JOBS

ETPL SIGNATURE AUTHORIZATION FOR TRAINING AGREEMENTS

TRAINING AGREEMENT