

**ETPL POLICIES AND PROCEDURES  
CHAPTER 4, PART 3  
WIOA TITLE I TRAINING SERVICES**

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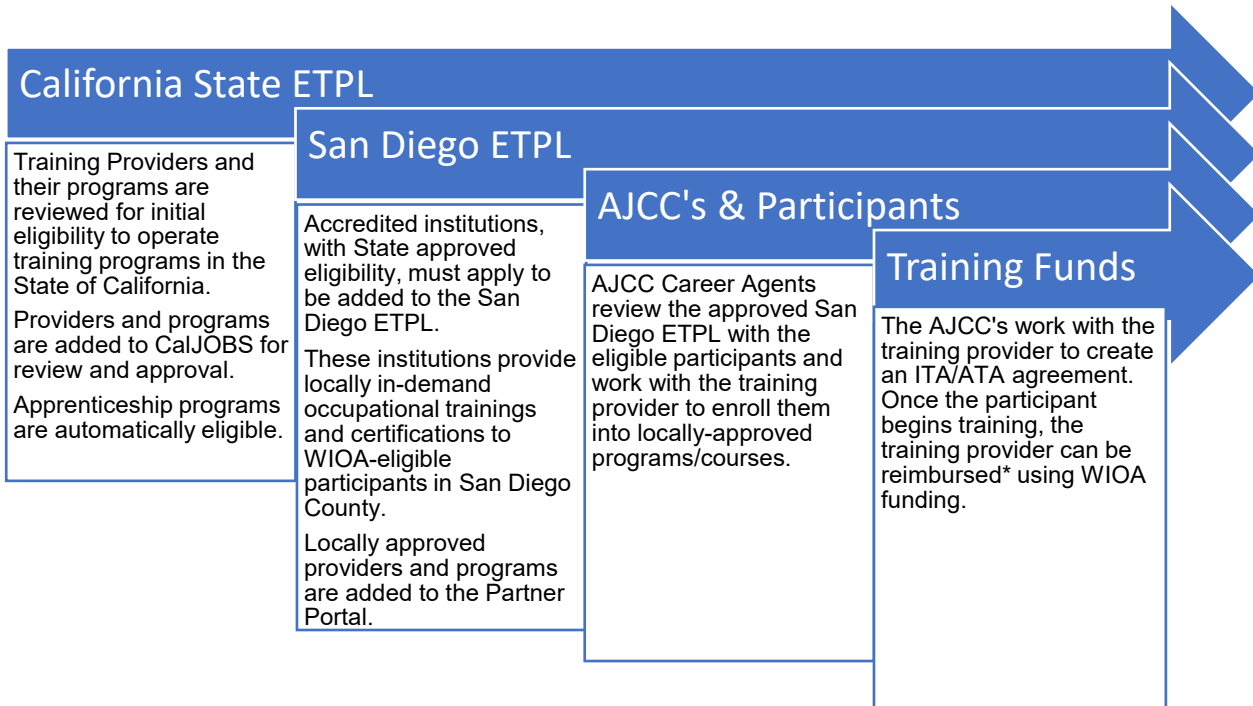
## I. INTRODUCTION

WIOA eligible participants may access training services through Training Providers who have met eligibility requirements set by the State who are listed on the California Eligible Training Provider List (STATE ETPL). Additional eligibility requirements have been added to be eligible for the San Diego ETPL (LOCAL ETPL) 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.

The ETPL Policies and Procedures applies to Training Providers that:

- 1) Are headquartered in San Diego County and are interested in being listed on the STATE ETPL
- 2) Currently have or are interested in listing programs on the San Diego ETPL, including those outside of San Diego County who are the STATE ETPL
- 3) Are eligible to receive Workforce Investment and Opportunity Act (WIOA) funding to subsidize training for WIOA eligible participants.

Approved Training Providers that enter into ITA/ATA agreements 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. Contact information for each local area can be found on the EDD website.*



\*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.

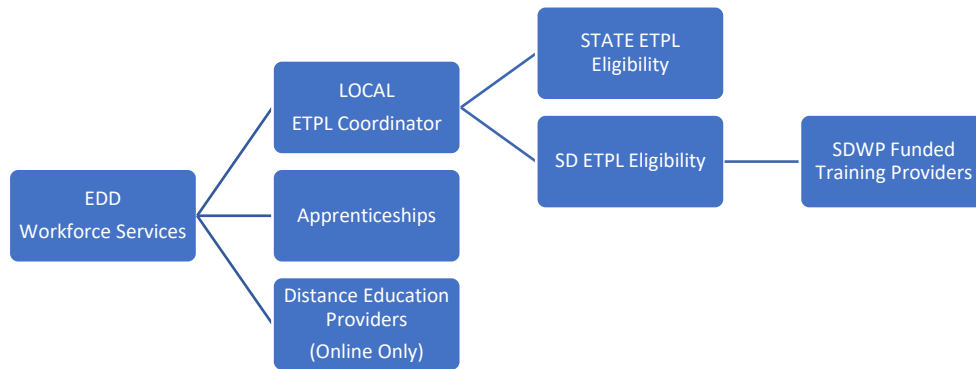
## A. CALIFORNIA (STATE) ETPL

All Training Providers and programs are subject to the policies outlined in the [STATE ETPL Policy](#) prior to being considered for the San Diego ETPL. The STATE ETPL creates a pool of Training Providers and Programs that Local Boards can utilize to establish their LOCAL ETPL. Local Boards may add additional local requirements for providers and/or programs (except for Apprenticeships) to be eligible on the local ETPL. Local policies may result in providers that are on the STATE ETPL but may not be eligible for inclusion on the LOCAL ETPL. While additional requirements may be added for the LOCAL ETPL, Local Boards may only include training providers on their list that are approved for the STATE ETPL. Training Providers must apply by submitting an **ETPL Eligibility Certification Form** and follow the ETPL Application Process below.

Training providers of On-the-Job Training (OJT), Customized Training (CT), Contracted Education Training (CET), Incumbent Worker Training (IWT), internships, paid or unpaid work experience opportunities, and transitional employment **are not** subject to the ETPL requirements outlined below.

## B. PARTNER RESPONSIBILITIES

The process below outlines the responsibilities of all partners within the ETPL process, including EDD, SDWP, and all funded subrecipients:



### 1. EDD Workforce Services

EDD Workforce Services oversees the State policy and monitors adherence to that policy. The State ETPL Coordinator provides technical assistance to the LOCAL ETPL Coordinator (SDWP), reviews annual STATE ETPL performance, and provides oversight and approval for registered Apprenticeships and Distance Education Training Providers on the STATE ETPL.

### 2. LOCAL ETPL Coordinator (SDWP)

SDWP will provide technical assistance to all training providers with programs located within San Diego County seeking to be listed on the STATE ETPL and LOCAL ETPL.

SDWP will review and approve, or deny, providers and programs for both initial and continued STATE ETPL eligibility, as well as LOCAL ETPL eligibility based on this policy. The timeline for review is available in each section below.

### 3. Eligible Training Providers

Training Providers headquartered in San Diego County must follow this policy to be listed on the STATE and LOCAL ETPL and receive WIOA funding for eligible participants. Additionally, Training Providers outside of San Diego County must follow this policy to be listed on the LOCAL ETPL.

## C. APPRENTICESHIPS

If your apprenticeship program has been approved by the [Division of Apprenticeship Standards](#) or the [Department of Labor](#) under the National Apprenticeship Act (NAA) please fill out a [DAS ETPL Application](#) and send to [WSBETPL@edd.ca.gov](mailto:WSBETPL@edd.ca.gov) for inclusion on the STATE ETPL. Registered Apprenticeships are automatically eligible for the STATE ETPL. Upon registration, the program will be added to the LOCAL ETPL if the Apprenticeship chooses to opt-in to the ETPL.

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

### 1. LOCAL ETPL Apprenticeship Registration Process

All registered apprenticeship programs will be listed on the LOCAL ETPL once listed in **CalJOBS** for the STATE ETPL. The list of registered apprenticeship programs in CalJOBS is managed by EDD 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 [ETPL@workforce.org](mailto:ETPL@workforce.org) so the program can be added to the LOCAL ETPL.

Submit the following to be included on the San Diego ETPL:

- Copy of current W-9; and
- Copy of the submitted STATE ETPL [DAS ETPL Application](#)
  - Costs listed under “other” must be itemized, if requested

Apprenticeships are exempt from the remainder of this policy. Apprenticeships should work directly with EDD and update their program information annually. In order to subsidize training for eligible San Diego participants, Apprenticeships will need to coordinate with the Career Centers and follow the ITA and ATA, and On-the-Job training policies as outlined in the ***SDWP Operations Manual, Chapter 4.***

## D. DISTANCE EDUCATION TRAINING PROVIDERS

Providers who do not provide in-person training services must contact EDD Workforce Services directly at [wsbetpl@edd.ca.gov](mailto:wsbetpl@edd.ca.gov) to apply to be listed on the STATE ETPL. Distance education is often categorized as “online-only” or “virtual” instruction. Distance education providers are managed by EDD at the state level. SDWP is not responsible for managing this list.

## E. OUT-OF-STATE TRAINING PROVIDERS

All training providers, other than Distance Education training providers, that have training sites located only outside of CA cannot be listed on the STATE ETPL. Local Boards cannot contract with out-of-state training providers on ETPL or otherwise.

## II. TRAINING PROVIDER ELIGIBILITY

The following sections list the requirements for a Training Provider to be added to and remain in good standing on the STATE (California) and LOCAL (San Diego) ETPL. Training Providers must provide SDWP written documentation of any changes to eligibility certification within 10 business days of notice or expiration.

### A. STATE ETPL TRAINING PROVIDER INITIAL ELIGIBILITY

Training providers are subject to the policies outlined in the [STATE ETPL Policy](#) under “CA ETPL Initial Eligibility.” Initial eligibility for the STATE ETPL applies to all Training Providers and programs, except for Registered Apprenticeship programs. Training providers must register their institution on CalJOBS (Reference [ATTACHMENT - TRAINING PROVIDER USER GUIDE.](#)) Once approved for the STATE ETPL, the Training Provider will be considered for the LOCAL ETPL.

#### 1. ETP Assurances Form

All Training Providers must submit the ETP Assurances Form annually to be considered for initial eligibility. The assurances form will be provided to Training Providers who are applying to be on the ETPL via the state directive.

### B. LOCAL (SAN DIEGO) ETPL TRAINING PROVIDER ELIGIBILITY

The ETPL requirements are specific to the needs of the San Diego Workforce Development Board (SDWDB) and as such, even if a Training Provider received initial approval for inclusion for ETPL in another local area, the training provider must still comply with the process outlined below. To meet initial eligibility for the San Diego ETPL, a Training Provider must:

#### 1. Accreditation

Have current accreditation status through an accrediting body recognized by the [Department of Education](#) or approval through a Federal or State agency that has oversight in a specific, in-demand, occupation.

##### i. Pre-Accreditation

Training Providers, that meet all other State and Local requirements for listing on ETPL, who are in the process of obtaining Accreditation may be listed on the San Diego ETPL as “Provisional” pending regular updates of their accreditation status. Institutions with Pre-Accreditation status may be listed following the date of Pre-Accreditation approval and must provide all updates from the accrediting agency to SDWP within ten (10) days.

##### ii. Federal or State Agency Approval

Approval through a Federal or State agency requires that the Training Provider be “approved” by that agency to provide training and/or certifications in a **specific occupation** under the oversight of that agency. Examples include, but are not limited to:

- Commercial Pilot Training at a FAA certified flight school
- Real Estate Agent licensed by a CA Dept. of Real Estate approved school

The Training Provider will be required to provide written documentation of approval from the Federal or State agency. BPPE approval (or exemption) does not meet this accreditation requirement.

## 2. In-Demand Occupations

Train for jobs that are considered in-demand in San Diego County. The list of ID jobs is updated on a yearly basis during the annual review period. Refer to **EXHIBIT – ETPL IN-DEMAND OCCUPATIONS LIST**.

## 3. Location

Provider must have a location in San Diego County or be approved as a Distance Education Training Providers on the STATE ETPL.

## 4. Financial Solvency

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. SDWP may require a declaration of the percentage of total organizational income made up by WIOA funding.

## 5. Debarment

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

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 each annual review period.

## 7. Authorized Contacts & Signatories

Keep up-to-date provider representatives (contacts) in CalJOBS and provide written documentation to SDWP of changes to the main point of contact and the alternate contact. Those authorized to sign the **Training Agreement** must be included as a contact in CalJOBS and on the **ETPL Eligibility Certification Form** to authorize payments and enter into training agreements.

## 8. CalJOBS Profile

Keep the institution CalJOBS profile current with the following information:

- Billing (must match W-9) and Mailing Address
- General information including type of organization, services available, etc.
- Accreditation status and State eligibility criteria selection
- Active locations
- Contacts and CalJOBS users listed
- Follow data entry requirements outlines in **ATTACHMENT - TRAINING PROVIDER USER GUIDE**



## 9. SDWP Operations Manual

Follow the entirety of the [SDWP Operations Manual](#) as a subrecipient of WIOA training funds, as applicable.

### C. TRAINING PROVIDER APPLICATION PROCESS

The following section outlines the process for Training Providers to be listed on the STATE ETPL and LOCAL ETPL in San Diego County.

Review the following documents and ETPL resources:

- Visit the [Training and Education Partners page](#) to submit a pre-application form. The page also includes information on other education and training programs and a training program FAQ.
  - For questions regarding ETPL, email [inquiries@workforce.org](mailto:inquiries@workforce.org)
- Review **EXHIBIT – ETPL IN-DEMAND OCCUPATIONS LIST** to ensure the training programs meet the local criteria, if applying for the LOCAL ETPL.

#### STATE ETPL & LOCAL ETPL Eligibility Certification Process

1. Submit a San Diego ***ETPL Eligibility Certification Form***, plus all required attachments:
  - Copy of accreditation (if applicable for local eligibility)
  - Copy of State eligibility documentation, if applicable
  - Copy of refund policy, if applicable
  - Current W-9
  - **ATTACHMENT - EO WIOA SECTION 188 COMPLIANCE CHECKLIST**
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.
  - a. Confirmation of approval or denial for listing on both the STATE ETPL and the LOCAL ETPL will be issued within 30 days from the receipt of the complete application.
3. Training Providers must complete the Training Program Eligibility and Approval Process.

### D. ELIGIBILITY DOCUMENTATION

Documents provided to SDWP to establish STATE ETPL and LOCAL ETPL eligibility will be collected on the ***ETPL Eligibility Certification Form*** and kept for the entirety of program approval and for duration of four (4) years after the Training Provider is no longer receiving WIOA funding. Documentation is kept in a secure website and/or CalJOBS to be accessed by SDWP, EDD, or other monitors, if requested, SDWP will provide these forms and all attached documents to EDD within five (5) days of request.

Training providers must maintain sufficient records and make these records available for monitoring or audit by either the Local Board and/or the state.

### E. THIRD PARTY AGREEMENTS

If the program's instruction and/or curriculum development is entirely sub-contracted to another entity or third-party vendor, the training provider directly receiving tuition and related instruction fees (listed on the ITA) must meet the requirements outlined in this policy and register in CalJOBS as a provider. SDWP will not directly reimburse the third party and will only enter into agreements with providers and programs listed on the STATE and LOCAL ETPL.

### III. TRAINING PROGRAM ELIGIBILITY

The following sections list the requirements for a Training Program to be added to and remain in good standing on the STATE (California) and LOCAL (San Diego) ETPL. Training Providers must provide SDWP written documentation of any changes to eligibility certification within 10 business days of notice or expiration.

#### A. STATE ETPL TRAINING PROGRAM INITIAL ELIGIBILITY

Training programs are subject to the policies outlined in the [STATE ETPL Policy](#) under “CA ETPL Initial Eligibility.” Initial eligibility for the STATE ETPL applies to all Training Providers and programs, except for Registered Apprenticeship programs. Training providers must enter active programs on CalJOBS (Reference [ATTACHMENT - TRAINING PROVIDER USER GUIDE.](#)) Once approved for the STATE ETPL, the Training Program will be considered for the LOCAL ETPL.

##### 1. Aggregate Performance

Training Providers must submit aggregate performance for each program listed on the STATE ETPL. Aggregate performance is considered for both initial eligibility and State ETPL Continued Eligibility. Each training provider must meet or exceed the state-mandated performance requirements based on their institution type as described on [EXHIBIT - ETPL PERFORMANCE.](#)

##### 2. CalJOBS

Local Boards, job seekers, and training providers have access to the STATE ETPL on [CalJOBS](#) by clicking the *Access California's ETPL and Apprenticeship Providers* link from the homepage, or by clicking *More Career Services*, and then *Education Services* section.

#### B. LOCAL (SAN DIEGO) ETPL TRAINING PROGRAM ELIGIBILITY

The following section outlines the process for training programs to be listed on the San Diego ETPL, offered through an eligible Training Provider. Variations of programs must be listed as separate programs in [CalJOBS](#), with the exception of programs offered at multiple locations.

##### 1. Credentials, Certificates, Licenses 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. 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.

All credentials, certificates, licenses, or degrees must be listed on the “General Information” tab on [CalJOBS](#).

##### 2. In-Demand (ID) Criteria

A training program will be eligible for LOCAL ETPL if the program description, course catalog, and certification aligns with an occupation that is “in demand” in San Diego County. SDWP provides in-demand (ID) jobs criteria in [EXHIBIT – ETPL IN-DEMAND OCCUPATIONS LIST](#). The criterion is updated annually as part of the annual review period. Training programs must train for a specific occupation, or a cluster of occupations within an in-demand industry sector, and not general skills.

#### a. SOC and CIP Codes

[SOC codes](#) are used by SDWP and within CalJOBS to determine whether the course offered by the training provider meets the State and local in demand 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 based on the description of the course in CalJOBS, the description in the institutions course catalog or website, and the resulting certification, credential, license, or degree.

*Note: While only one code is needed to verify ID for ETPL inclusion, the Training Provider should include all relevant SOC codes on the program page in CalJOBS for participants who are searching for courses based on occupations.*

### 3. Course Fees

Tuition costs must be equal to or less than the published rate on the institution website or course catalog. Training Providers must provide a direct link (URL) to the training program on the course catalog on the “Additional Details” section of **CalJOBS**. Training Provider must itemize the costs as instructed on the “Program Cost” section of **CalJOBS**.

The total course fees may exceed the maximum payout. The remaining balance of the total cost of the program can be covered by financial aid, other funding sources, or be waived by the training provider and must be documented on the **Training Agreement**.

#### i. Supportive Services

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 total cost, Training Provider must request approval from SDWP that a portion of the cost be covered by Supportive Services. Once approved, SDWP will note the approval on the LOCAL ETPL.

#### ii. Training Funds Cap

SDWP will pay the total cost of the program up to the maximum training funds cap (**\$7,000**), **whichever is less**.

### 4. Program Location

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

If a course is offered at multiple onsite locations or via hybrid method, one program entry is required in **CalJOBS** with all available locations listed.

If a course is being offered separately (one available at an onsite location and another online) the Training Provider must list them as separate programs and label them accordingly in **CalJOBS**.

## 5. Term of Program Eligibility

Programs are reviewed on an annual basis. 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 10<sup>th</sup> through June 10<sup>th</sup>* of the following year.

*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.*

## C. TRAINING PROGRAM APPROVAL PROCESS

The following section outlines the process for Training Programs to be listed on the STATE ETPL and LOCAL ETPL in San Diego County.

### Program Approval Process

1. Training Provider must register the new program on CalJOBS for the STATE ETPL under the approved Training Provider profile. (Reference **ATTACHMENT - TRAINING PROVIDER USER GUIDE** 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. The Local ETPL Coordinator will review the program in CalJOBS for inclusion on the STATE ETPL and LOCAL ETPL within 30 days of submission.

### 1. Program Term

The program term of initial eligibility will begin on the review (approval) date and end on June 10<sup>th</sup> of the program year. Newly listed programs that were approved after May 1<sup>st</sup> during initial eligibility will be approved through the next program term.

### 2. Partner Portal

The LOCAL ETPL will be published in the [Partner Portal](#) – which is the San Diego intranet of locally approved Training Programs. Training Providers will be required to request an account in order to view the LOCAL ETPL. All Training Programs published in the Partner Portal must first be approved in CalJOBS for the STATE ETPL.

### 3. Refund Policy and Process

Training Providers are required to refund all or a portion of the cost of the training if a participant does not complete the program or for any overpayment of program costs. If a provider has a tiered drop (i.e., allows for full and/or partial refunds depending on portion of program completed) 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. Examples of an overpayment may be for supportive service costs not utilized by the participant as part of the total cost (i.e., books, tools, fees, etc.).

#### a. SDWP Refund Policy

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 45 days of planned course start                                   |
| Attended less than 75% of program                        | Partial refund, pro-rated based on hours attended – due to SDWP within 45 days of discontinuation. |
| Attended 76%-100% of program                             | No refund required   |

#### b. Refund Process

Any refund due to SDWP must be received within forty-five (45) days of the discontinuation or within forty-five (45) days of successful completion if there was an overpayment. Failure to appropriately refund SDWP, or significant delays in issuing refunds, may result in removal from both the STATE and LOCAL ETPL.

#### Refund Process

When issuing a refund, the training provider must:

- Notify the Training Funds Coordinator (the Career Center); and
- Notify the SDWP Programs Department at [voucher@workforce.org](mailto:voucher@workforce.org)
- Send refunds/overpayments to:
  - San Diego Workforce Partnership
  - Attn: Accounts Receivable
  - 9246 Lightwave Ave, Suite #210
  - San Diego, CA 92123
- Include a copy of the **Training Agreement** with the refund; and
- Reference the Training Agreement number on the check

## IV. TRAINING PROVIDER & PROGRAM CONTINUED ELIGIBILITY

### A. ANNUAL REVIEW PERIOD

SDWP will evaluate all training providers headquartered in San Diego County, along with each program listed in CalJOBS 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 “continued eligibility.” *The annual review period will begin on May 1<sup>st</sup> and end July 10<sup>th</sup>.* The new program term and approved changes to the ETPL will be effective July 10<sup>th</sup> and run through June 10<sup>th</sup> of the program year.

### B. STATE ETPL CONTINUED ELIGIBILITY

Training providers and programs are subject to the policies outlined in the [STATE ETPL Policy](#) under “CA ETPL Continued Eligibility Criteria.” Continued eligibility for the STATE ETPL applies to all Training Providers and programs, except for Registered Apprenticeship programs.

#### 1. Initial Eligibility & Proof of Compliance

Training Providers must meet all criteria outlined in State ETPL Training Provider Initial Eligibility and provide proof of compliance of each of the STATE ETPL criterion during the annual review period. Training Providers may be asked to verify or resubmit any or all eligibility documentation and update provider and/or program information in **CalJOBS**.

#### 2. Aggregate Performance

Training Providers must submit aggregate performance for each program listed on the STATE ETPL for the required reporting period. The reporting period will be designated by the Local ETPL Coordinator and will be for the complete program year (July 1-June 30). Aggregate performance is required to be entered into CalJOBS by June 10<sup>th</sup> each year.

#### 3. ETP Assurance Form

All Training Providers must submit the ETP Assurances Form annually to be considered for continued eligibility. The assurances form will be provided to Training Providers who are recertifying, via the state directive.

#### 4. WIOA Enrollments

Training Providers on the STATE ETPL for two full program years (July 1 – June 30) must have at least one WIOA enrollment during the previous two program years. If removed due to enrollment requirements, a provider must wait six (6) months from removal to submit their ETPL application for reinstatement and will not be held to the enrollment requirement when determining continued eligibility for placement back onto the list.

#### 5. WIOA Performance

Training Providers must meet WIOA performance measures for their institution type for the reporting period. With the exception of completers, providers will be held accountable for the performance measures in which two complete years of data is available for their program(s).

## C. LOCAL (SAN DIEGO) ETPL CONTINUED ELIGIBILITY

Training Providers will be required to submit proof of compliance or verification of Local (San Diego) ETPL Training Provider Eligibility during the annual review period by submitting a **ETPL Eligibility Certification Form**. Training programs must meet the Local (San Diego) ETPL Training Program Eligibility requirements

### 1. Local ETPL Proof of Compliance Exceptions

Newly listed Training Providers and programs that were approved after May 1<sup>st</sup> during initial eligibility will not need to submit proof of compliance documentation unless the documentation has expired or changed.

### 2. 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.

### 3. 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. Participants may also be interviewed by program monitors during a monitoring period.

### 4. Annual ID Occupations Review

Programs will be reviewed on an annual basis to ensure they meet the most current local 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 - ETPL IN-DEMAND OCCUPATIONS LIST**. This will not affect participants who were already enrolled in the program/course.

### 5. Site Visits

In accordance with **SDWP Operations Manual, Chapter 8**, SDWP may perform an onsite review of the training facility, interview staff and participants during the program term. This review will focus on areas such as accessibility, cleanliness, and compliance with equal opportunity and training 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.

## D. TRAINING PROGRAM UPDATE POLICY AND PROCESS

Training Providers may update locations for their programs at any time by adding/deleting locations on their **CalJOBS** profile. Other program information may be updated on **CalJOBS** in order to provide accurate information to the AJCC's and/or participants at any time throughout the program term.

***Program cost and code updates will only be allowed on an annual basis during the annual review period. The annual review period will begin on May 1<sup>st</sup> and end July 10<sup>th</sup>. Updates made during the annual review period will be effective July 10<sup>th</sup>.*** Course fees, tuition, and SOC and CIP Codes must remain the same for the entire term of the program eligibility to ensure accuracy. Inquiries for exceptions to this policy must be submitted in writing to [ETPL@workforce.org](mailto:ETPL@workforce.org) and approved by the Local ETPL Coordinator before changes are made and submitted in CalJOBS for review.

## 1. Cost Updates

The original cost of the training program submitted with the approved program application must be used for the duration of the program term, unless otherwise approved in writing. If a Training Provider makes a price change without approval, SDWP reserves the right to delist the program or limit reimbursement to the previously approved cost.

## 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 and can only be updated during the annual review period. If a Training Provider makes coding change without approval, SDWP reserves the right to delist the program.

### Program Update Process

1. Update the program on CalJOBS for the STATE ETPL under the approved Training Provider profile and submit for review (Reference **ATTACHMENT - TRAINING PROVIDER USER GUIDE** for required fields and procedures)
  - If the changes were made outside of the annual review period, notify the Local ETPL Coordinator at [ETPL@workforce.org](mailto:ETPL@workforce.org)
  - The ETPL Coordinator will review the program for both STATE ETPL and LOCAL ETPL within 30 days of submission
  - If approved for continued eligibility, it will be effective on the review date in CalJOBS through the end of the current program term



## V. TRAINING PROGRAM PERFORMANCE REQUIREMENTS

SDWP will evaluate both STATE ETPL and LOCAL ETPL performance requirements during the annual review period. Performance metrics are found on **EXHIBIT - ETPL PERFORMANCE**. Each training provider must meet or exceed the state-mandated performance requirements based on their institution type. All WIOA participant CalJOBS data entry (e.g., credential attainment) will be performed by the Americas Job Center of California (AJCC).

### A. PERFORMANCE CRITERIA

#### 1. Enrollments (Total Enrollments)

Number of participants enrolled in and have started the training program during the reporting period. Does not include voids where the participant never began training and no payment was issued.

#### 2. Exiters (Total Exiters)

Number of participants who completed, withdrew/discontinued, or transferred from the program of study during the reporting period.

#### 3. Completers (Total Completers)

Number of participants that successfully completed the program during the reporting period. For WIOA participants, the activity must be marked as “successful completion” in CalJOBS.

#### 4. Employment Placement (Employed 2<sup>nd</sup> Qtr)

Number of participants who were placed in employment within six (6) months of exiting the program.

#### 5. Measurable Skills Gain

Number of WIOA participants who have a documented skills gain (progress report) as part of their training during each program year enrolled in the program. Training Providers are required to submit the Progress Report & Attendance records of each participant.

#### 6. Credential Attainment

Number of WIOA completers of a training program that received a certificate, credential, degree, or license during the reporting period.

#### 7. Median Earnings

The median earnings of WIOA participants who completed the training program and were placed in employment in the second quarter (Q2) after exit.

## VI. PROVIDER AND PROGRAM DENIALS, DELISTING, AND APPEALS

The following sections list the process for reviewing Training Providers and Training Programs if either a provider or program was denied under initial eligibility or delisted during any period during the program term, including during continued eligibility. It also provides the appeals process available to Training Providers who wish to appeal the decisions made by the local board and/or EDD.

*Please note: Unless the Training Provider has been otherwise advised by another WDB or the STATE ETPL Coordinator, local ETPL denial, delisting, and appeals is only applicable to the San Diego area and does not impact the delivery of services elsewhere in California.*

### A. STATE ETPL POLICY

All Training Providers must follow the policies outlined in the [STATE ETPL Policy](#) under the following sections:

- Denial of a Training Provider/Program
- Delisting Training Providers/Programs
- Placing Delisted Training Providers/Programs Back on the ETPL
- Appeals
- Appeals to EDD

Training Providers must provide SDWP written documentation of any changes to eligibility certification within 10 business days of notice or expiration. By signing the ETP Assurances form, and entering into ITA Agreements, *a provider who has been removed from the list is liable to repay all Adult and Dislocated Worker training funds received during the period of noncompliance.*

All training provider/programs removed from the STATE ETPL must be removed from the local ETPL immediately upon notification from the EDD, as any new enrollments into a training program not eligible to be on the STATE ETPL will result in disallowed costs.

### B. LOCAL (SAN DIEGO) ETPL DENIALS

In addition to the STATE ETPL policy, SDWP may deny a new application for a Training Provider or Training Program (“initial eligibility”) onto the LOCAL ETPL if:

- The Training Provider and/or its program(s) fail to meet the minimum criteria for initial listing as specified in Training Provider Eligibility and Training Program Eligibility;
- The ***ETPL Eligibility Certification Form*** from the Training Provider is inaccurate and/or incomplete;
- The Provider or Program information in CalJOBS is incomplete or missing information as required on the [Training Provider CalJOBS User Guide](#);
- The Training Provider or Program violates any policy outlined in the [SDWP Operations Manual](#); or
- The Training Provider substantially violated any WIOA requirement(s) or is debarred from doing business with the State or Federal Government.

#### Denial Process

- If SDWP denies a Training Provider’s initial application for listing on the STATE ETPL or LOCAL ETPL, SDWP shall, within thirty (30) business days of receipt of the application, inform the provider in writing and include the reason(s) for the denial.

### C. LOCAL (SAN DIEGO) ETPL DELISTING

In addition to the STATE ETPL policy, SDWP may delist a Training Provider or Training Program from the LOCAL ETPL at any time during the program term, including during continued eligibility, if a previously approved Training Provider or program fails to meet the Training Provider Eligibility, Training Program Eligibility, and Training Provider & Program Continued Eligibility.

SDWP may delist a previously approved Training Provider or program from the LOCAL ETPL if they have been delisted from the STATE ETPL or for any of the following reasons:

- Any reason listed in Local (San Diego) ETPL Denials;
- The information on the LOCAL ETPL ([Partner Portal](#)) does not match the STATE ETPL (CalJOBS);
- The Training Provider lost its accreditation or approval from a Federal or State agency or has not provided updates and/or proof of accreditation or approval, as requested;
- The Training Provider did not maintain the minimum WIOA performance requirements for LOCAL ETPL;
- Failure to provide monthly progress reports of participants enrolled in training;
- Participant satisfactions surveys demonstrate a history of challenges with the program or provider and/or 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 SDWP Refund Policy and Refund Process;
- SDWP program needs, funding or convenience no longer require the service;
- The training program is no longer considered in-demand in the local area; and/or
- The training program is available for free or lower cost from another source in the community.

#### Delisting Process

- For delisting of a Training Provider from either the STATE ETPL or the LOCAL ETPL, SDWP will provide the training provider with the reasons for delisting and a deadline to respond within thirty (30) days after the notification.
  - If the Training Provider does not provide required information and/or documentation by the deadline, the Training Provider will be delisted.
- For delisting of a Training Program on the STATE ETPL, SDWP will review all training program eligibility in CalJOBS during the annual review period. CalJOBS will notify the Training Provider of the status of a program on the “Review” tab.
  - If the program does not meet initial eligibility requirements, the program will be delisted.
  - The program will show as “Rejected, does not meet initial eligibility” with the last review date.
  - The reason for rejection (delisting) will be noted in an attached case note in CalJOBS.
    - Training providers may also inquire regarding the reason for delisting in writing to [inquiries@workforce.org](mailto:inquiries@workforce.org). The ETPL team will provide the reasons within five (5) business days and training providers may appeal the decision by following the Appeals Process.
- For delisting of a Training Program on the LOCAL ETPL, SDWP will review the training program eligibility based on the local criteria during the annual review period and publish an updated approved program list on or before July 15th in the Partner Portal. Training Providers that had programs that were delisted from the LOCAL ETPL will be notified within ten (10) business days of the publishing of the approved programs list.

## D. TRAINING PROVIDER APPEALS

If a Training Provider wishes to appeal a denial or delisting from the STATE or LOCAL ETPL, Training Providers must appeal within thirty (30) days of notification of denial or delisting. The appeal must include a statement of the desire to appeal, specification of the training program(s) in question, the reason(s) for the appeal (i.e. grounds), documentation supporting the grounds for the appeal, and the signature of the appropriate training provider official.

To submit an appeal, refer to ***SDWP Operations Manual, Chapter 9: Nondiscrimination & Equal Opportunity Policy and Complaint Procedures***. A non-partial compliance officer will review the appeal based on both this policy and the [STATE ETPL Policy](#) and will schedule all meetings, hearings within sixty (60) days of the appeal.

A copy of the final decision will be emailed to the State ETPL Coordinator ([wsbetpl@edd.ca.gov](mailto:wsbetpl@edd.ca.gov)), and the Local ETPL Coordinator will upload the final decision to the Provider Profile section of CalJOBS.

If a Training Provider wishes to appeal the decision made by the local board, they can follow the “Appeals to EDD” section in the [STATE ETPL Policy](#).

## E. TRAINING PROGRAM APPEALS

All appeals for programs being denied or delisted from either the STATE or LOCAL ETPL should provide in writing to [ETPL@workforce.org](mailto:ETPL@workforce.org) the following information on official letterhead with the signature of the authorized training provider official:

- Name of the Provider
- Name of the Program and CalJOBS Program ID
- Appeal of STATE delisting and/or LOCAL delisting, or both
- Reason for appeal and section of the [STATE ETPL Policy](#) or this policy that the provider is appealing
- Documentation supporting grounds for appeal

The Local ETPL Coordinator will schedule a meeting to review the appeal. If upon completion of the meeting, the Training Provider can request an official hearing with the hearing (compliance) officer. All meetings must take place within sixty (60) days of the appeal. A copy of the final decision will be emailed to the State ETPL Coordinator ([wsbetpl@edd.ca.gov](mailto:wsbetpl@edd.ca.gov)), and the Local ETPL Coordinator will upload the final decision to the Provider Profile section of CalJOBS. If a Training Provider wishes to appeal the decision made by the local board, they can follow the “Appeals to EDD” section in the [STATE ETPL Policy](#).

## F. GREIVANCE & COMPLAINTS PROCESS

For information regarding submitting an official complaint regarding either the ETPL policy or process, a participant, SDWP or AJCC staff, or Training Provider, refer to ***SDWP Operations Manual, Chapter 9: Nondiscrimination & Equal Opportunity Policy and Complaint Procedures***.

### 1. Apprenticeship Complaints

All complaints regarding registered apprenticeship programs on the State ETPL should be brought to EDD to evaluate via [wsbetpl@edd.ca.gov](mailto:wsbetpl@edd.ca.gov)

## G. REACTIVATION OF TRAINING PROGRAMS

SDWP may reactivate a program previously denied or delisted from the STATE ETPL or LOCAL ETPL if the Training Provider makes a written request to SDWP via [ETPL@workforce.org](mailto:ETPL@workforce.org) to reactivate the program and demonstrates compliance with all State and/or local eligibility requirements. SDWP will respond to reactivation requests within ten (10) business days and reactivation will be subject to the [STATE ETPL Policy](#) under “Placing Delisted Training Providers/Programs Back on the ETPL..”

## H. TECHNICAL ASSISTANCE

Technical assistance will be provided by BPPE, DIR DAS, Local ETPL Coordinators, and EDD on respective application processes, compliance requirements, and reporting documents.

- For assistance with CalJOBS, email [CalJOBS@workforce.org](mailto:CalJOBS@workforce.org) and copy the Local ETPL Coordinator at [inquiries@workforce.org](mailto:inquiries@workforce.org)
- For assistance with the Partner Portal, email the Local ETPL Coordinator at [inquiries@workforce.org](mailto:inquiries@workforce.org)
- Access the [Training Provider User Guide](#)
- Review the [SDWP Operations Manual](#) for additional policies and procedures
- EDD's [Eligible Training Provider List](#) & Resources

## I. CONFLICTS OF INTEREST

Training providers must not hold a conflict of interest with SDWP, or its subrecipients to remain on the ETPL:

- Payments of “referral fees” are prohibited by training providers to Local Board staff, including America’s Job Center of California (AJCC) operator staff.
- Decisions made by the Local Board regarding ETPs and their programs are in compliance with WIOA Section 107(h).

## VII. PARTICIPANT TRAINING PROGRAM REGISTRATION & REPORTING

Once SDWP approves a program(s) for the STATE ETPL, 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](http://www.caljobs.ca.gov) under "Education Services."

For programs eligible for the LOCAL ETPL, participants will work with their Career Navigator to research and enroll into a training program. *Note: AJCC Career Agents may not enroll any participants into approved training programs if the information in CalJOBS does not match the San Diego ETPL. SDWP is not responsible for content accuracy on CalJOBS and may delist programs whose information does not match what was approved for the STATE and LOCAL ETPL.*

### 1. Participant Eligibility and Enrollment

Only participants who are enrolled into a WIOA program are eligible for ETPL programs. Training Providers may refer students to the AJCC for eligibility screening. If found eligible, they must first be enrolled into a WIOA program before registering for and beginning training. This process can take up to two (2) weeks. Participants referred by Training Providers to the AJCC are not guaranteed to be enrolled.

Additionally, 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.

### 2. Individual Training Accounts (ITA) & Apprenticeship Training Accounts (ATAs)

An Individual Training Account (ITA) is designed to provide subsidized training to participants who need occupational skills that prepare them for employment in in-demand jobs 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. Apprenticeships on the ETPL allow for WIOA funds to be used to pay for the classroom-based training. *Note: While ATAs are considered different in terms of the type of training program, ATAs are processed and labeled as ITAs in CalJOBS.*

ITA/ATAs are contracted service agreements between the Training Provider, SDWP and the participant and must be documented and processed by the Career Agent in **CalJOBS**. Participants enrolled at a San Diego County Career Center (AJCC) may only enroll in a training program listed on the LOCAL ETPL.

### 3. Progress Report & Attendance

The training provider must provide **ATTACHMENT - PROGRESS REPORT FORM** on the participant's progress and attendance to the AJCC by the tenth business day of each calendar month while the participant is in training, as part of the ITA Agreement. If the participant fails to attend training, the training provider must inform the AJCC within three (3) days of consecutive non-attendance. If the student is terminated for non-attendance, the school must follow the Refund Policy and Process to refund SDWP any unused funds.

If the training provider fails to provide progress and attendance reports, the Career Agent shall contact the training provider or participant to attempt to obtain this information. All attempts to

obtain the reports will be entered into **CalJOBS**. Failure to provide progress reports will result in delisting from the STATE and LOCAL ETPL.

#### 4. Credential, Certification, Degree, or License (Attainment)

Training Providers are required to report attainments to the AJCC within thirty (30) days of for required **CalJOBS** data entry if the attainment is awarded by the Training Provider. If the attainment is awarded by a third party, the Training Provider must include that information on the program details in **CalJOBS**.

For more guidance on participant eligibility, registration, and reporting, refer to ***SDWP Operations Manual, Chapters 4 and 7, Part 1, and the ITA/ATA Policies and Procedures.***

### VIII. 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 Workforce Development Board priorities.

### IX. REFERENCES

- WIOA (Public Law 113-128) Section 122 (a) through (h)
- Workforce Services Directive 21-03 (WSD21-03) 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)

### X. EXHIBITS

#### ETPL ELIGIBILITY GUIDE

#### ETPL IN-DEMAND OCCUPATIONS LIST

#### ETPL PERFORMANCE