

EXECUTIVE SUMMARY

This work2future directive provides policy and procedure guidance for training providers seeking training program approval for listing on the Statewide California Eligible Training Provider List (CA ETPL) along with listing on the local work2future ETPL as required under the Workforce Innovation and Opportunity Act (WIOA). Training program review timelines distinguish separate approval processes between a program's initial eligibility and a program's continued eligibility on both ETPLs. Procedural guidance will describe the appeal process for Eligible Training Provider when there is denial, delisting, or termination of training programs.

REFERENCES

- Workforce Innovation and Opportunity Act (WIOA) Sections 3(52), 107(d)(10)(C), 107(h), 116(d), 122(a-f), 133(b), and 134(c)(3)
- Title 20 Code of Federal Regulations (CFR) Part 683: Administrative Provisions Under Title I of the WIOA (DOL Exceptions), Section 683.620, and 683.630(b)
- Title 20 CFR Part 677: Performance Accountability Under Title I of the Workforce Innovation and Opportunity Act, Section 677.230
- Title 20 CFR Part 680: Adult and Dislocated Worker Activities Under Title I of the Workforce Innovation and Opportunity Act (DOL Exceptions), Sections 680.200, 680.210, 680.300 – 680.320, 680.340, 680.400 – 680.480, 680.490, and 680.500 – 680.520
- TEGL 21-16, *Third Workforce Innovation and Opportunity Act (WIOA) Title I Youth Formula Program Guidance* (March 2, 2017)
- TEGL 8-19, Change 1, *Guidance on Registered Apprenticeship Provisions and Opportunities in the Workforce Innovation and Opportunity Act (WIOA)* (May 17, 2021)
- TEGL 3-18, *Eligible Training Provider (ETP) Reporting Guidance under the Workforce Innovation and Opportunity Act (WIOA)* (August 31, 2018)
- California Education Code (EDC) Sections 94801.5, 94874, 94858, 94886, 94894
- Title 5 California Code of Regulations (CCR) Division 7.5: Private Postsecondary Education, Sections 71110, 71210, 71220, and 71260
- Workforce Service Directive (WSD) WSD25-02, *California ETPL* (February 23, 2026)
- WSD24-07, *Performance Guidance* (November 26, 2024)
- WSD17-01, *Nondiscrimination and Equal Opportunity Procedures* (August 1, 2017)
- WSD13-13, *Contracts with Higher Education or Eligible Training Providers* (May 20, 2014)
- work2future *Eligible Training Provider Appeals Policy*
- work2future *Incident Reporting Policy*
- Workforce Integrated Performance System (WIPS), ETP Reporting – WIPS Resources

POLICY AND PROCEDURES

As described in WIOA Section 122 and 20 CFR Part 680, the State of California Employment Development Department (State EDD), work2future, and Eligible Training Providers (ETPs) maintain the ETPL, which is a list of eligible training providers and programs, and track training performance. The Statewide CA ETPL is a master list of approved training providers and programs, and work2future coordinates a subset by creating the local work2future ETPL. As a result, there may be eligible training providers on the Statewide CA ETPL that are not eligible for inclusion on the local work2future ETPL. Note that work2future may only include eligible training providers on the local work2future ETPL that are approved for the Statewide CA ETPL, and ETP can be on the Statewide CA ETPL and the local work2future ETPL (both ETPLs). The local work2future ETPL is utilized by program staff and program participants to make informed training choices for in-demand industry sectors and occupations as well as for job prospects in the local area industry priority sectors.

Training service is provided in a manner that maximizes informed consumer choice. A WIOA participant can choose a training service available through the ETPL and funded by an Individual Training Account (ITA) or a training contract. An ITA is a payment agreement made on behalf of a participant with an ETP to cover the cost of training, and the payments can be made in parts with portions paid at different stages of the training. A WIOA participant who enrolled in an ETPL or other similar WIOA Training Program within the previous three years cannot enroll into another WIOA Training Program without approval from work2future Director. This is to ensure the most effective use of training funds, participation that maximizes training outcome, and to afford training opportunities for other WIOA participants. Per WIOA Title I, subtitle B, Adult, Dislocated Worker, and Out-of-School Youth ages 18-24 may utilize an ITA to fund training services. In some cases, Out-of-School Youth participants interested in training service that is funded through an ITA must co-enroll and utilize the adult program training fund. However, an ITA is unavailable to In-School Youth.

Information about evaluating eligibility for the Statewide CA ETPL, the local work2future ETPL, and the responsibilities of the coordinating entities are summarized sequentially as listed:

- Eligible Training Program
- Eligible Training Provider (ETP)
- Training Provider and Program Eligibility Requirements
- Initial Eligibility Requirements
- Continued Eligibility Requirements
- work2future ETPL Responsibilities
- Denial of Initial Eligibility and Continued Eligibility
- The Appeals Process for Denial or Delisting
- Eligible Training Provider Responsibilities

For information about Registered Apprenticeship Programs (RAPs) Requirements, State EDD Responsibilities, and WIOA ETP Report Requirements, refer to WSD25-02 pages 15, 18, and 19.

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

1. An industry-recognized certificate or certification.
2. A certificate of completion of a registered apprenticeship.
3. A license recognized by the State involved or the Federal government.
4. An associate degree.
5. A baccalaureate degree.
6. A secondary school diploma or its equivalent.

7. Employment.
8. Measurable skill gains toward a credential or employment.

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

Reference Performance Guidance (WSD24-07) for more information on what qualifies as an industry-recognized credential or certificate.

Eligible Training Provider (ETP)

1. The only type of entity that receives funding for training services through an ITA.
2. Included on the Statewide CA ETPL, the local work2future ETPL, or both ETPLs
3. Provides a program of training services.
4. Must be one of the following types of entities:
 - Institutions of higher education that provide a program that leads to a recognized postsecondary credential.
 - Entities that carry out programs registered under the National Apprenticeship Act (29 U.S.C. 50 et seq.).
 - Other public or private providers of training services, which may include:
 - Community-based organizations.
 - Joint labor-management organizations.
 - Eligible providers of adult education and literacy activities under Title II of WIOA.

work2future may use a contract for training services for a program not on the Statewide CA ETPL, instead of using an ITA, to fulfill the consumer choice requirement and by meeting at least one of the following:

1. The training service is an OJT, customized training, or incumbent worker training.
2. work2future may decide there are not enough ETPs in the area to use an ITA. The selection process will include a 30-day public comment period for interested eligible training providers, and work2future will explain this process to prospective eligible training providers.
3. work2future finds training services offered in the area by a community-based organization or another private organization with proven effectiveness in serving individuals with barriers to employment. work2future has developed criteria to find the training program with proven effectiveness. The criteria may include:
 - Financial stability of the organization.
 - Proven results in the delivery of services to individuals with barriers to employment. This may be shown through program completion rate, attainment of skills, certificates, or degrees the program provides, placement in unsubsidized employment, and retention in employment.
 - How the program relates to the workforce needs found in the work2future local plan.
4. work2future decides it is most appropriate to contract with an institution of higher education, or other training provider, to facilitate the training of multiple individuals in in-demand industry sectors or occupations with an approach that does not limit consumer choice.
5. work2future enters a Pay-for-Performance contract consistent with WIOA regulations.

work2future ETPL Responsibilities

The following includes local work2future ETPL responsibilities for making sure training programs qualify:

1. Verify that assigned programs meet the eligibility criteria and performance levels required to be on the Statewide CA ETPL, and that the information provided is correct prior to submitting to the State EDD. When reviewing eligibility for the Statewide CA ETPL, work2future will review

within 30 calendar days and only use the state's requirements, and no other local requirements.

- work2future is responsible for reviewing and nominating the training provider's profile if the eligible training provider's headquarters is located within the work2future service area. If the eligible training provider's headquarters is located out of state, work2future is responsible for reviewing and nominating the training provider's profile if the training program is physically located within the work2future service area.
 - work2future must conduct an eligibility review for the training program(s) that is physically located within the work2future service area. work2future must ensure the application is complete and the program meets the eligibility requirements outlined in this guidance prior to approving the application for state review.
 - work2future is not responsible for the eligibility determinations for RAPs.
 - Notify ETPs of programs removal that do not meet requirements to be on the Statewide CA ETPL, the local work2future ETPL, or both ETPLs.
2. work2future has a Local ETPL Coordinator responsible for providing technical assistance to ETPs related to both ETPLs, including the use of [CalJOBS](#). All ETPs are encouraged to contact work2future's ETPL Coordinator, by emailing Henry Morado henry.morado@sanjoseca.gov, to review overall eligibility for compliance requirements, supporting documents, and specific processes in a timely manner.
 - All new and existing ETPs are required to register the institution and programs in CalJOBS.
 - ETPs must enter all necessary information into CalJOBS by ensuring all information provided is complete, accurate, and current and is in alignment with State requirements for work2future to review and nominate the ETPs and/or training programs for inclusion evaluation on one or both ETPLs.
 3. Once approved, the Statewide CA ETPL is publicly available through CalJOBS on internet accessible devices, including in formats accessible to individuals with disabilities. work2future disseminates the local work2future ETPL to WIOA program participants through career counseling, guidance, and planning services at the work2future job centers.
 4. Training services are provided in a manner that maximizes informed consumer choice in selecting an ETP and program as well as represent a cost-effective investment of public funds. The local work2future ETPL can include ETPs who are deemed exempt by the California Education Code (CEC) Section 94874 and are not regionally accredited by an accrediting institution. In this case, work2future must do the following for exempt training providers and may also verify the items below for non-exempt training providers:
 - Verify the instructor's credential or experience.
 - Ensure the financial stability of the training provider.
 - Conduct an annual inspection of the training providers or training programs.
 - Ensure actual instruction is taking place.
 - Ensure instructional equipment and instruction meet current industry standards.
 5. work2future ensures statewide access to all learners by working with the State EDD to provide adequate ETPs in the work2future service area, including those with expertise in assisting individuals with disabilities and adults in need of adult education and literacy activities.
 6. In developing a local ETPL, work2future may not only include training programs approved for the Statewide CA ETPL but also may set more requirements for the local work2future ETPL:
 - Require more information from ETPs as criteria to become or remain eligible for the local work2future ETPL.
 - Set performance standards as criteria for training programs to be on the local

- work2future ETPL.
 - Remove a training program from the local work2future ETPL for failure to meet performance standards.
 - ETP may appeal a denial of eligibility and have an opportunity for hearing with clear time limits to ensure prompt resolution. work2future has established procedures for an ETP to appeal its removal from the local work2future ETPL.
 - ETP removed from the local work2future ETPL for failure to meet work2future standards are still on the Statewide CA ETPL if an ETP continues to meet the requirements to be on the state list.
7. Upon approval to be on the Statewide CA ETPL, work2future will work with the ETP on contractual agreements to abide by all terms of contract including documentation of attendance, submission of reports, maintenance of records, and other contractual terms. After all contract agreements are executed, the ETP can be on both ETPLs. A sample template of the contract is available by contacting the work2future ETPL Coordinator, Henry Morado via email henry.morado@sanjoseca.gov
 8. An approved ETP on both ETPLs may enter into third-party agreements with training organizations to deliver content on its behalf. That is, the third party, through subcontracting, creates and delivers a training program where course instruction and curriculum is not developed by the approved ETP. In doing so, the approved ETP accepts all liability and certifies that the training program, as submitted to CalJOBS, meets the accepted requirements for both content and instructors:
 - The ETP on both ETPLs must be the entity accepting tuition and related instruction fees.
 - Third-party subcontractors cannot accept WIOA funding without meeting both ETPLs eligibility.
 - Per the California Education Code Section 94886, private postsecondary institutions that receive “institutional charges” such as tuition are required to be approved or deemed exempt by the BPPE. That is, training programs offered by training providers who are not BPPE approved or exempt are not eligible for both ETPLs even if contracted through an approved ETP.
 - Approved ETPs must notify work2future of any training program that will be delivered by training organizations or other third parties. work2future reserves the right to audit or review any course or instructor qualifications at any time.
 9. At any time during the year, work2future will consider the following items as a part of a training provider's continued eligibility:
 - work2future will perform Monitoring Site Visits to review training facilities and interview staff and participants. This review will focus on training program compliance and accessibility. Site visit reports will be issued documenting all findings and concerns as well as areas for continuous improvement. An ETP will have 30 days to address any findings, and training providers may be delisted from the local work2future ETPL or both ETPLs if appropriate action is not taken.
 - work2future will review tuition and fees for each training program and similar training programs in the work2future service area to determine that fees are competitive and match ITA payments.

Training Provider and Program Eligibility Requirements

Initial Eligibility Requirements

Initial eligibility requirements are for training programs that were not previously eligible under Workforce

Investment Act (WIA) or WIOA, and ETPs must give verifiable program-specific information for initial eligibility as outlined in this section.

1. Provider Level

The training provider must meet the following:

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

To take part in both ETPLs, the training provider must provide the following:

1. Describe whether the training provider is in partnership with a business.
2. Give the following information about their organization.
 - Federal Employer ID number (FEID or FEIN)/work2future requires W-9 form.
 - The legal or official “doing business as” (DBA) name/work2future requires a business license as documentation if applicable.
 - Description of the training provider.
 - Address of the main location.
 - The type of entity the training provider is (e.g., public provider, private non-profit

- provider, etc.).
- work2future requires proof of business insurance coverage.
- Performance reporting method. See “WIOA ETP Report” section for more information.
- *Other information needed to complete a [CalJOBS](#) profile, such as:*
 - *Uniform Resource Locator (URL) for the organization, if available.*
 - *Contact number for the main location.*
 - *Billing address.*
 - *Mailing address.*
 - *Financial Aid and/or Pell Grant availability.*
 - *Online registration availability.*

2. Program Level

To be eligible for both ETPLs, the training program must meet the following:

1. The training program meets the Eligible Training Program definition above.
2. *For ETPs with BPPE Approval to Operate, the training program and its location are BPPE approved.*
3. Adhere to the following data and performance requirements:
 - *Total Program Exiters: Total number of students who exited (withdrew, transferred out, or completed) the training program in the last four complete quarters.*
 - *Total Completers: Total number of students who completed the training program successfully in the last four complete quarters.*
 - *Training programs offered by a private postsecondary institution must have 50% of their exiters successfully complete the training program.*
 - *A newly created training program without performance data for initial eligibility can apply for both ETPLs if work2future confirms the ETP is reputable and the new program offers labor market value.*

To take part in both ETPLs, the ETP must provide the following about the training program:

1. Provide information that addresses the alignment of the training program with in-demand industry sectors and occupations or local industry priority sectors.
2. Give the following curriculum information for each training program:
 - A description of the training program. The description can include other course prerequisites (e.g., driver’s license or work experience), learning outcomes, competencies gained, program accreditation, full time/part time, required books/technology, and related careers.
 - If available, the URL of the program-specific webpage for individuals to find more information on the training program. If a program-specific page is not available, provide the URL of a list of all programs for the ETP. This item is not required if a program-specific webpage does not exist.
 - The potential outcome(s) of the training program (e.g., industry-recognized credential, associate’s degree, etc.).
 - The specific name of credential attainment, the certificate, certification, license, or degree, participants can receive (e.g., Certified Welding Inspector (CWI)).
 - The Classification of Instructional Programs (CIP).
 - The program's total cost of tuition and fees for non-WIOA Title I, subtitle B

participants (assuming normal time to completion). The total cost should include mandatory fees such as athletic center fees, technology fees, lab fees, etc. The cost should not include the total cost of books and supplies.

- An estimate of the program's total cost of books and supplies for non-WIOA Title I, subtitle B participants (assuming normal time to completion).
- The length of the training program in clock/contact hours per week. Clock hours are the total number of actual hours per week a student spends attending class or other instructional activities that count toward completing the training program. A clock/contact hour is a 60-minute span of time with between 50 and 60 minutes of actual class instruction, which may include class, recitation, lecture, lab, training, or internship. No more than 1.0 clock hour can be assigned to any discrete 60-minute period.
- The length of the training program in weeks as completed by a full-time student.
- Any applicable prerequisites for the training program.
- The format(s) of the training program (e.g., in-person, online, etc.).
- The occupation code(s) for which this training program prepares students.
- The ETP job search assistance process and any partnership with local businesses.
- *Other information needed to complete a CalJOBS profile, such as:*
 - *Any resources or equipment needed.*
 - *If the training program earns credit, including the number of credits and credit duration (i.e., semester or quarter).*
 - *Credentialing body.*
 - *Curriculum program update schedule.*

3. Application Process

ETPs can submit an initial eligibility application for the Statewide CA ETPL or both ETPLs at any time during the year. Initial eligibility applications are reviewed and processed between July 1 and March 31. Applications received between April 1 and June 30 are processed beginning July 1. If the ETP is already on the Statewide CA ETPL or both ETPLs and is submitting an initial eligibility application for a new program, only the program needs to be reviewed for eligibility.

work2future has 30 days to conduct an initial review, provide technical assistance, and make an eligibility determination. If approved by work2future, the State EDD has 30 days to review and make a final eligibility determination.

If approved by the State EDD, the initial eligibility is valid until June 30. The training program must meet the requirements for continued eligibility when its initial eligibility expires.

Continued Eligibility Requirements

Continued eligibility requirements are for training programs previously eligible for the Statewide CA ETPL or both ETPLs under the WIA or WIOA. A training program's initial eligibility expires within one year of approval. To avoid a lapse in approval, a training program's first continued eligibility review must occur within one year. A training program's continued eligibility is valid for up to two years, and the training program will be subject to continuous compliance monitoring to ensure all eligibility criteria are met.

1. Provider Level

The ETPs must review and update, if needed, all information previously provided and continue to

meet all requirements outlined in the “Initial Eligibility, Provider Level.”

2. Program Level

To be on both ETPLs, the training program must meet the following:

- Review and update, if needed, all other previously provided program information.
- All required data for the most recent annual WIOA ETP Report was submitted by the deadline to be included in the WIOA ETP Report. If applying to be added back to one or both ETPLs (not currently on the ETPL), the training program must provide all data for each year from when it was initially approved for the Statewide CA ETPL or for the most recent complete four years (whichever is shorter).
 - For more information on the annual reporting requirements, see the attached WIOA ETP Report Guide and the WIOA ETP Reporting Cohort Tool – Dynamic spreadsheet located on Workforce GPS’s [ETP Reporting Cohorts Chart](#) site.
 - *If the ETP did not have any WIOA Title I, subtitle B students in any of the Statewide CA ETPL-approved programs on the most recent annual WIOA ETP Report, the ETP must explain why. The explanation must include why the ETP did not serve any WIOA Title I, subtitle B students and include the number of Supplemental Job Displacement Benefit vouchers accepted during the same timeframe.*
- *Training programs offered by a private postsecondary institution must meet at least half of the following applicable performance measures as displayed on the most recent annual WIOA ETP Report:*
 - *50% of all student program exiters successfully completed the training program (did not withdraw or transfer out of the program).*
 - *Employment Rate 2nd Quarter after Exit for WIOA Title I, subtitle B students is at least 68%.*
 - *Employment Rate 4th Quarter after Exit for WIOA Title I, subtitle B students is at least 65%.*
 - *Median Earnings 2nd Quarter after Exit for WIOA Title I, subtitle B students is at least \$8,000.*
 - *Credential Attainment Rate for WIOA Title I, subtitle B students is at least 70%.*

All performance data is verified using the WIOA ETP Report submitted by the State EDD to the U.S. Department of Labor annually. A training program is exempt from meeting a performance accountability measure if there is less than one complete program year of data, or if there are less than ten students in the measure.

3. Application Process

To continue to be on the Statewide CA ETPL or both ETPLs, the training program must meet the requirements for continued eligibility when its initial or continued eligibility expires.

For a training program actively on the Statewide CA ETPL or both ETPLs, the ETP must submit the program application for continued eligibility by March 31 of the same year as the training program is set to expire. work2future has until May 15 to conduct an initial review, provide technical assistance, and make an eligibility determination. If approved by work2future, the State EDD has until June 30 to review and make a final eligibility determination.

For a previously eligible training program wanting to be added back to the Statewide CA ETPL or both ETPLs (not actively on the list), the ETP can submit the training program application for

continued eligibility any time during the year. These applications are reviewed and processed between July 1 and March 31. Applications received between April 1 and June 30 are processed beginning July 1. If the ETP is already on the Statewide CA ETPL or both ETPLs and is submitting a continued eligibility application to relist a training program, only the training program needs eligibility review.

work2future has 30 days to conduct an initial review, provide technical assistance, and make an eligibility determination. If approved by work2future, the State EDD has 30 days to review and make a final eligibility determination.

If approved the State EDD, the training program's continued eligibility is valid for up to two years ending on June 30. If the ETP has other training programs on the Statewide CA ETPL or both ETPLs, the training program's continued eligibility will have the same expiration date as the other training programs. There are some instances where the first continued eligibility period for a training program is shorter than two years to align it with the expiration date(s) of the ETP's other training programs.

Denial of Initial Eligibility and Continued Eligibility

When there is a denial for Initial Eligibility after consultation or a denial for Continued Eligibility, a written notification of the reason for denial will be provided to the training provider within 30 days from the date of determination. The written notification will include the detailed reasons for the denial and complete information about the appeals process. work2future or the State EDD may deny or remove an ETP or program from one or both ETPLs at any time, regardless of when the program is due for eligibility review. To ensure the integrity of both ETPLs, an ETP removed from the list for any of the following reasons becomes ineligible for both ETPLs for two years and is liable to repay all WIOA Title I Adult, Dislocated Worker, and Youth training funds received during the period of noncompliance.

- The ETP intentionally supplied inaccurate information to meet or keep eligibility.
- The ETP substantially violated any provision of Title I of WIOA or the WIOA regulations, including 29 CFR part 38.
 - The ETP no longer adheres to the equal opportunity and nondiscrimination requirements contained in Section 188 of WIOA and outlined in Nondiscrimination and Equal Opportunity Procedures (WSD17-01). This includes ensuring training programs are accessible for individuals with disabilities.
 - The state identifies information involving criminal fraud, waste, abuse, or other criminal activity associated with the ETP. This includes, but is not limited to, the following:
 - work2future and ETP are participating in pay-to-play activities (commonly known as kickbacks) that include, but are not limited to: work2future received monetary or gift exchanges for (or in the hope for) referrals to a specific ETP, and/or exchanges of money or gifts to have the training provider listed on the Statewide CA ETPL or both ETPLs.
 - The ETP's top-level leadership (e.g., owner, CEO, Director, etc.) is convicted of violating any federal or state law associated with the operation of the institution.
 - Failure to provide complete, timely, and correct data to be included in the WIOA ETP Report or meet the minimum criteria for eligibility determinations as outlined in this guidance.
 - The State EDD may allow an ETP to remain on the list if they were unable

to give the required data timely due to an exceptional circumstance beyond the ETP's control (e.g., natural disaster, unexpected technology-related issues, etc.).

Training providers are prohibited from making any referral fee payments to work2future's Board, work2future program staff, or job center staff. For more information on allegations of fraud, program abuse, or criminal conduct, please see *work2future Incident Reporting policy*.

The State EDD or work2future can immediately remove an ETP for any of the following reasons, and reactivation to the Statewide CA ETPL is at the discretion of the State ETPL Coordinator:

1. The ETP no longer meets the California operating requirements outlined in the "Initial Eligibility" section (e.g., lost or is unable to provide proof of its regional school accreditation).
2. *It is decided that the ETP is not serving or providing value to WIOA Title I, subtitle B participants and is listed on the Statewide CA ETPL or both ETPLs solely for other purposes, such as the use of Workers' Compensation Supplemental Job Displacement Benefit vouchers.* work2future determination to retain an ETP will be given priority over this provision for removal even if the ETP has not enrolled participants during the previous two (2) Program Years (July 1 through June 30).
3. The ETP has not achieved the minimum performance criteria for continued eligibility and has not been approved for a waiver of continued eligibility by work2future.
4. The ETP has not met work2future/City of San Jose contractual agreement to provide proof of comprehensive liability insurance for new and existing training providers.
5. The ETP no longer wishes to be listed on the local work2future ETPL or both ETPLs.

To protect WIOA funds, an ETP will be suspended from both ETPLs for any of the following reasons:

1. *The ETP or a top-level staff (e.g., owner, president, etc.) is criminally charged with crimes related to the operation of the institution by any federal, state, or local agency.*
2. *The ETP or top-level staff is actively involved in a civil court case related to the operation of the institution.*
3. *The ETP is issued an Accusation or Statement of Issues from the Bureau for Private Postsecondary Education (BPPE), and this can include failure to comply with the BPPE Annual Performance Reporting requirement.*

While suspended, the training provider cannot enroll new WIOA Title I, subtitle B funded students, but can continue to serve existing enrollments. After the investigation or legal case ends, the State EDD and/or work2future will review the outcome and decide if the training provider can return to the Statewide CA ETPL or both ETPLs. If a training provider does not report to the State EDD or work2future that the training provider is under investigation or involved in a court case, the training provider may be immediately removed from the Statewide CA ETPL or both ETPLs. A training provider can appeal removal from both ETPLs. See "The Appeals Process for Denial or Delisting" section for more information.

For work2future WIOA participants enrolled in a training program on the local work2future ETPL and the ETP is no longer able to conduct business, all work2future WIOA participants enrolled will receive transition assistance to a similar work2future ETPL program. If no reasonable similar training program currently exists, work2future will work with the BPPE's Office of Student Assistance Relief to assist WIOA participants affected by the training provider closure.

The Appeals Process for Denial or Delisting

See work2future Eligible Training Provider Appeals Policy

Eligible Training Provider Responsibilities

Eligible Training Providers, except RAPs, are responsible for the following:

1. Submit timely and correct data:
 - Using [CalJOBS](#), submit accurate and timely data, including performance data and cost information, for both initial eligibility and continued eligibility as outlined in this guidance.
 - Between July 1 – August 31, ETPs must provide the required performance data for the “WIOA ETP Report” for any training program that was on the Statewide CA ETPL or both ETPLs at any time in the previous program year (July 1 – June 30) by August 31. To ensure the appropriate students are counted for each item above, please reference the ETP Reporting Cohorts Chart located on the WorkforceGPS [Eligible Training Provider Resource Page](#). ETPs are not required to give performance data from before the training program was listed on the Statewide CA ETPL or both ETPLs. To help with accurate data reporting, ETPs have two options for providing performance data to the State EDD:
 - Provide totals for the most recent complete program year for each of the performance items.
 - Provide a list of Social Security Numbers of applicable individuals to the State EDD. The State EDD will conduct a wage match for the individuals and calculate all totals.
 - ETPs must ensure they adhere to the Family Educational Rights and Privacy Act, including the circumstances relating to prior written consent, if sending personally identifiable information from an education record.
 - An ETP removed from the local work2future ETPL or both ETPLs for not providing timely and accurate data for the eligibility determination or the WIOA ETP Report is ineligible for the local work2future ETPL or both ETPLs for two years and is liable to repay all WIOA Title I Adult, Dislocated Worker, and Youth training funds received during the period of noncompliance.
2. Collaborate with the appropriate contact for assistance:
 - Communicate with work2future ETPL Coordinator if assistance related to items in this policy is needed. The ETP is responsible for contacting work2future’s ETPL Coordinator, Henry Morado via email henry.morado@sanjoseca.gov, for assistance if the ETP’s headquarters is located within the work2future service area. If the ETP’s headquarters is located out of state, the ETP is responsible for contacting work2future’s ETPL Coordinator if the training program is physically located within the work2future service area. The ETPL Coordinator for each Local Board can be found on the State EDD’s [Eligible Training Provider List](#) site.
 - RAPs and training providers without a location in California but offer online training programs to California students for a fee should reach out directly to the State ETPL Coordinator at wsbetpl@edd.ca.gov for assistance.
3. Report institutional changes immediately to work2future and/or the State EDD if the ETP is aware of any changes to the institution that may result in their removal from the Statewide CA ETPL or both ETPLs. This includes but is not limited to:
 - The ETP is aware it is under investigation by any federal, state, or local agency, and/or is involved in a civil or criminal court case related to the operation of the institution.

- The ETP does not meet California operating requirements.
- The ETP must inform work2future ETPL Coordinator within 48 hours of any significant changes to the ETP administration and accreditation, as well as any changes to the training program curriculums, hours, costs, credentials and/or any other core information listed in CalJOBS. work2future reserves the right to place a hold up to 90-day on new training enrollments while work2future conducts information verification or an investigation.

Exceptions

Any exceptions to this policy must be approved by the work2future-Director, Program Manager, or the authorized representative of the WIOA Service Provider and documented in the participant file.

INQUIRIES

Please contact the work2future Administrator on duty, work2future.MIS@sanjoseca.gov, for any questions regarding this policy.