



Workforce Innovation and Opportunity Act (WIOA) Policies and Procedures

Determining Training Provider Eligibility for the Eligible Training Provider List (ETPL)

Policy Number: P-1012

Effective Date: 9-1-21

Supersedes: Policy #4001 Local Eligibility Criteria Policy to Qualify for Training Provider List (ETPL), effective 11-17-16

PURPOSE

This policy communicates the Governor's procedures for determining training program eligibility for Workforce Innovation and Opportunity Act (WIOA) Title I-B Individual Training Accounts (ITAs) and the state's Training Benefits (TB) program and describes WorkForce Central's role in determining inclusion on the ETPL for local training providers who do not qualify for initial eligibility to the ETPL.

BACKGROUND

[WIOA Section 122](#) requires Governors to establish criteria, information requirements, and procedures for training programs in local areas that receive WIOA Title I-B Adult and Dislocated Worker funds. Washington's [Eligible Training Provider List \(ETPL\)](#) which includes programs that meet performance thresholds for completion, employment, and earnings is maintained on the state's Workforce Training and Education Coordinating Board's (WTECB; Workforce Board) Career Bridge website at [Washington Career Bridge](#).

The [Governor's Procedure for Determining Training Program Eligibility, Policy 5611, Revision 2](#) and accompanying [Workforce Innovation and Opportunity Act Title I-B and Washington's Eligible Training Provider List Evaluation Procedures](#) sets forth Washington State's policy and procedures for determining the eligibility of training providers and their programs to receive WIOA Title I funded ITAs, and to train dislocated workers receiving additional unemployment insurance benefits under the state's Training Benefits (TB) Program. WorkForce Central is required to use the Governor's Procedure and may assist local training providers apply for eligibility to the ETPL. Per Policy 5611, Rev. 2, the procedures for determining eligibility begin June 2, 2021.

POLICY

State Required Performance Levels

For a training program to be eligible on the state's ETPL, it must meet or exceed each of the following minimum performance floors:

- A completion rate of 30 percent,
- An employment rate of 50 percent, and
- A median earnings level of \$5000 in a calendar quarter.

Programs that fail to meet the eligibility requirements for quarterly earnings may still qualify by meeting the minimum hourly wage of \$13.70 per hour.

Programs that meet or exceed each of the minimum performance thresholds are eligible for inclusion on the ETPL. If a program fails to meet the minimum performance floor on any measure, then the program's performance on each measure shall be adjusted by a mathematical regression model. That model takes into account the demographic characteristics of the program participants and one or more economic characteristics of the county or counties in which the program participants reside. If, after applying the adjustment models, a program meets or exceeds each of the minimum performance floors then the program shall be determined to have satisfied the state-required performance levels.

Methodology of Performance Measures

Three (3) measures are used to determine whether a program is eligible to be listed on the state's ETPL and able to receive funds under WIOA and the state's Training Benefits Program.

These three performance measures are based on administrative records submitted to the Workforce Board and matched with other administrative records as appropriate. Additional supplemental data is accepted under certain conditions set forth in [Workforce Innovation and Opportunity Act Title I-B and Washington's Eligible Training Provider List Evaluation Procedures](#)

Training providers must submit the necessary data elements to the Workforce Board to calculate a program's performance—to see whether a sufficient number of students completed a program, if they got a job, and how much they earned. Training providers are required to submit student-level records each year to enable Workforce Board staff to match data with wage records and independently evaluate program performance.

Workforce Board research staff evaluate the performance of education programs by assessing all student records—including those participating in WIOA Title I Adult and Dislocated worker programs through WorkSource. WIOA Title I participants are just a small portion of an education program's enrollment. To accurately assess employment and earnings outcomes, programs must provide all student records.

See [Workforce Innovation and Opportunity Act Title I-B and Washington's Eligible Training Provider List Evaluation Procedures](#) for:

- Complete list of performance measure definitions,
- Performance calculation rates,
- Program categories, and
- Supplemental data options.

Procedures for Approving ETPL Program Eligibility

A training provider who wishes to have one or more training programs evaluated for inclusion on the state ETPL must submit an application to the Workforce Board online at www.careerbridge.wa.gov or on the WTECB's website at <https://www.wtb.wa.gov/>. Full application instructions are also available on the Career Bridge website.

Excluded Types of Training

Programs must be focused on occupational skill training to be eligible for inclusion on the state's ETPL. Programs are not allowed on the list if they are:

- Avocational training (for fun, recreation, or non-job-related).

- On-the-job training.
- Incumbent worker training: programs that exclusively train those who are already employed on behalf of their employers.
- Internships or mentorships with no classroom or online training component.
- Online training administered by a school located outside of Washington, unless listed on another state's ETPL.
- Subscription or membership fee-based self-paced training.
- Training that consists solely of a purchased CD or downloaded program for a fee and is self-paced.
- Intensive or short-term pre-vocational training that doesn't lead directly to a specific occupation.
- Preparation for exams.
- Less than 8 hours.
- Not licensed or regulated by a state agency, except when approved by a local Workforce Development Council, explained under "Training provider types" (See next section).
- Does not train students for an in-demand occupation.

Training Provider Types

Types of schools with programs that can immediately be considered potentially eligible for Washington's ETPL:

- Public community or technical college.
- Public four-year college or university.
- Registered Apprenticeship program.
- Private vocational school licensed by the Workforce Board, or by the Department of Licensing, or approved by the Washington Student Achievement Council, or approved by the Federal Aviation Administration.
- Education institutions eligible to receive federal funds under Title IV of the Higher Education Act of 1965.

If a school does not fall into any of the training provider categories listed above, eligibility must be determined by the Workforce Development Council (WDC) in the area where the school is located. See [WorkForce Central's Procedures for Determining Training Provider ETPL Eligibility](#), below.

The Workforce Board will notify WorkForce Central when the Board has received an online application from a school located in Pierce County who falls in this "other" category. In these special cases, it is the responsibility of WorkForce Central to conduct a general review of the training provider's qualifications and notify the Workforce Board of its conclusions. Examples of elements that WorkForce Central may consider in its review include:

- The financial stability of the training provider,
- Quality of instruction and administrators,
- Quality of the facilities and training equipment,
- Curriculum,
- Cost,
- Rate of participant certification for a trade,
- Job placement rates and wages,
- Completion rates.

Assurances Form

See [Workforce Innovation and Opportunity Act Title I-B and Washington's Eligible Training Provider List Evaluation Procedures](#) for more information about training providers' requirements for completing the Workforce Board's Assurances Form.

Returning to the ETPL

A program previously on the ETPL will not be treated as new or subject to the initial eligibility application process when re-applying, and instead will be evaluated under the annual renewal policy, including data submission requirements. The classification of a new or returning program will be at the discretion of Workforce Board staff.

Approval Process

Workforce Board staff evaluate education programs for performance during an annual review cycle. All programs must meet performance standards each year for completion, employment, and earnings.

Out of state schools: The Workforce Board will not accept new applications from training providers whose training facility is located out of state. To be eligible, schools must have a permanent, physical location in Washington.

Arranging out of state training: It is the policy of the state to allow an eligible WIOA Title I-B Adult or Dislocated Worker to use an ITA voucher to purchase training services offered by an out-of-state provider if the training program is listed on that state's ETPL and there is agreement between Washington and the respective state regarding ETPL eligibility.

Annual Renewal

See [Workforce Innovation and Opportunity Act Title I-B and Washington's Eligible Training Provider List Evaluation Procedures](#) for more information annual renewal for training programs on Washington's ETPL.

Annual Evaluation

Registered Apprenticeship programs are automatically eligible once added to the state's ETPL (WIOA Sec. 122(a)(3)) and are not subject to the Workforce Board's annual renewal policies.

To be eligible for inclusion on the state's ETPL, training programs must meet required performance levels (WIOA Sec.122(b)(1)). The data used to evaluate program performance come from state administrative records, (both participant records, and Unemployment Insurance wage records). In some cases, the Workforce Board will accept supplemental data from the training provider.

Performance evaluations are based on the most recent three years of student data that allow sufficient time for data analysis. Since employment and earnings outcomes are measured a year after exit, the most current year's data cannot be used for these measures. During a program's first year evaluation, only completion rate will be evaluated.

The Workforce Board compares a training program's completion rates, along with the employment rates and earnings of recent graduates, with state performance criteria to determine whether a training program meets state required performance levels. The Workforce Board will inform WorkForce Central and the training provider of its determinations. Some smaller training programs may not have the minimum data required for the Workforce Board to evaluate performance. In those cases, the

Workforce Board will inform the training provider and WorkForce Central that the training program(s) will remain on the ETPL until minimum data is available to conduct the state's performance review.

For a training program to be eligible for renewal on the ETPL, the program's performance must be posted on www.careerbridge.wa.gov, the state's career and education platform that provides a "consumer report card" for thousands of Washington's postsecondary education programs. The same data restrictions that apply in determining program eligibility, can limit what is posted in the performance results area of Career Bridge. Employment rates typically do not capture self-employment. But when this data is collected through other methods, such as surveys and direct outreach, it will be included in total employment, whenever possible and applicable.

Procedures for Denying ETPL Eligibility

The Workforce Board shall deny eligibility if an applicant fails to meet the minimum criteria for eligibility as specified in the state's [Governor's Procedure for Determining Training Program Eligibility, Policy 5611, Revision 2](#) and accompanying [Workforce Innovation and Opportunity Act Title I-B and Washington's Eligible Training Provider List Evaluation Procedures](#) and in this policy.

The Workforce Board shall deny eligibility if the applicant fails to provide a complete application, including a signed assurances form.

WorkForce Central shall deny ETPL eligibility if the applicant intentionally supplied inaccurate information and shall deny ETPL eligibility to a provider who has substantially violated any WIOA requirements. Penalties are described in [WIOA Sec.122\(f\)\(1\)\(A\)](#).

After conferring with the Workforce Boards' Private Career School licensing unit, the Workforce Board shall deny ETPL eligibility to any unlicensed private career school required by Washington state law to be licensed.

If a training provider's program is denied ETPL eligibility, Workforce Board staff will inform the provider of the reason(s) for the denial.

Removal of a Program from the ETPL

- The Workforce Board shall remove a program (or programs) from the ETPL if the provider fails to supply the Workforce Board with available participant data required for the performance review within due dates established by the Workforce Board.

Training providers unwilling to supply required and available participant data shall be informed by the Workforce Board, in writing with 30 days' notice, that their training program(s) will be removed from the state ETPL. Removals for this reason are not subject to formal appeal.

- The Workforce Board shall remove a program if it is determined that the applicant intentionally supplied inaccurate information and shall deny ETPL eligibility to a provider who has substantially violated any WIOA requirements. Training providers shall be informed by the Workforce Board, in writing, that their training program(s) have been removed from the state ETPL. Removal for this reason is not subject to formal appeal.
- The Workforce Board shall remove a program (or programs) from the ETPL if the provider is unwilling to allow program costs, and performance information about student completion rates, employment rates and earnings posted on www.CareerBridge.wa.gov, the state's career and education platform which provides performance results for thousands of education and training programs. Training providers shall be informed by the Workforce Board, in writing, that their

training program(s) have been removed from the state ETPL. Removal for this reason is not subject to formal appeal.

- The Workforce Board shall remove a program (or programs) from the ETPL if the provider is operating in violation of the state's Private Vocational Schools Act or other Washington state laws and regulations. Training providers shall be informed by the Workforce Board, in writing, that their training program(s) have been removed from the state ETPL. Removal for this reason is not subject to appeal.
- If state or local required performance levels are not met, the program shall be removed. At the point when the Workforce Board determines that a program will be removed from the ETPL due to not meeting minimum performance standards, the Workforce Board shall, within 30 calendar days of this decision, inform the provider in writing and include the reason(s) for the removal and complete information on the appeals process, if applicable. For Pierce County training providers, the Workforce Board must send a copy of this notice to WorkForce Central.

Programs deemed ineligible will remain on the ETPL for at least 30 calendar days before they are removed, if subject to a formal appeal. If a training provider chooses to appeal, a training program that is subject to removal shall remain on the state ETPL until the appeal is concluded.

When a training program is removed from the state ETPL, individuals currently enrolled in WIOA Title I programs and receiving support of an Individual Training Program (ITA) may choose to complete their training as outlined in their WIOA Individual Employment Plan.

WorkForce Central's Procedures for Determining Training Provider ETPL Eligibility

If a training organization located in Pierce County does not meet one of the qualifying training categories [stated above](#), the Workforce Board will notify WorkForce Central of the school's ETPL application. WorkForce Central is then responsible for conducting a general review of the training provider's qualifications and to notify the Workforce Board of its conclusions.

WorkForce Central will initiate this review by using [WorkForce Central's Training Provider Questionnaire](#) which will request the following performance standards about the training provider and the training program:

- Financial stability,
- Prior inclusion on the ETPL, if applicable,
- Training program objectives, skills learned, and curriculum,
- Credentials earned,
- Cost,
- Completion rates and/or rate of participant certification for a trade,
- Job placement rates and wages
- Quality of instruction and administrators, and
- Quality of the facilities and training equipment.

WorkForce Central will work with the applying training provider in the collection of this data and provide the training provider a date by which the information is due to WorkForce Central. WorkForce Central shall then review the information supplied by the school and conclude whether the performance criteria in WIOA Sec. 122(b) was met or not met.

WorkForce Central will provide written notification to the Workforce Board reporting approval or disapproval of the training provider's initial eligibility for inclusion on the ETPL, and reasons for the

decision. The Workforce Board will not process the training provider's ETPL application until it receives this notification from WorkForce Central.

Appeals to WorkForce Central

If WorkForce Central determined the training provider did not meet required performance criteria and denies the applicant's eligibility for the ETPL, the training provider may appeal WorkForce Central's decision by submitting a written appeal to WorkForce Central at procurement@workforce-central.org. Appeals must be in writing and received by WorkForce Central within seven (7) calendar days of the decision by WorkForce Central.

The appeal must contain a complete statement describing the specific criteria for the basis of the appeal, and include the name, address, email, and telephone number of the person submitting the appeal. Only appeals setting out an issue of fact concerning a matter of bias, discrimination, conflict of interests, or non-compliance with the procedures described in this policy shall be considered. Appeals not based on procedural matters will not be considered. Appeals challenging or questioning the evaluator's professional judgement or WorkForce Central's requirements will be rejected.

WorkForce Central will review all timely appeals before issuing a final determination. WorkForce Central will consider all facts available and issue a decision within ten (10) working days of receipt of the appeal, unless additional time is required, in which case the appealing party will be notified accordingly.

Appeals to the Workforce Board

This process applies to a provider whose appeal was directly referred to the Workforce Board by WorkForce Central and to a provider who has exhausted WorkForce Central's appeal process and is dissatisfied with WorkForce Central's final decision.

A provider wishing to appeal to the Workforce Board must submit a written appeal request to the Workforce Board within 30 calendar days from when the denial or removal notice by the Workforce Board was issued, or in cases where the denial originated with WorkForce Central, within 30 calendar days of the issuance WorkForce Central of its final decision on an appeal. The request for appeal must be in writing and include a statement of the desire to appeal, specification of the program in question, the reason for the appeal, and the signature of the appropriate training provider official.

The Workforce Board must conduct a review within 30 calendar days from the date of receipt of the review request. The Workforce Board will determine:

1. Whether WorkForce Central followed its appeal procedure; and
2. Whether WorkForce Central's decision was reasonable, fair, and in keeping with the intent of WIOA.

In appeal cases where the training program met state required performance levels but did not meet the WorkForce Central's performance standards, the Workforce Board will establish whether WorkForce Central correctly followed its local performance procedures including, where applicable, its procedures for reviewing and accepting supplemental data provided by the appealing training provider. The decision rendered by the Workforce Board, on behalf of the Governor, shall be final.

REFERENCES

- [TEGL 8-19](#) - WIOA Title I Training Provider Eligibility and State List of Eligible Training Providers (ETPs) and Programs
- [ESD Policy #5611, Rev 2](#) - Governor's Procedure for Determining Training Program Eligibility

ATTACHMENTS

- [WorkForce Central's Training Provider Questionnaire](#)

APPROVED



Katie Condit (Sep 1, 2021 16:47 PDT)

Katie Condit, WFC CEO

Sep 1, 2021

Date

EQUAL OPPORTUNITY - EQUAL ACCESS

WorkForce Central is an equal opportunity employer/program.
Auxiliary aids and services are available upon request for individuals with disabilities. Washington Relay Service – 711.