

## EXHIBIT A

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### ELIGIBLE TRAINING PROVIDER LIST (ETPL) PROVISIONS

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#### I. ETPL PROVISIONS:

##### A. ETPL Application:

1. CONTRACTOR is required to be registered in CalJOBS ([www.caljobs.ca.gov](http://www.caljobs.ca.gov)) and to submit a request to the Monterey County Workforce Development Board (WDB) for approval to list training programs on the ETPL through CalJOBS. Once the registration is approved by the WDB, CONTRACTOR is responsible for entering their approved training program information in ETPL and ensuring all the required fields are complete, accurate and updated as changes occur. This must occur before participants can be referred to a training program listed on the ETPL through CalJOBS. CONTRACTORS that offer programs in multiple local areas must apply only to the WDB in the area where their headquarters is located or the WDB that has been appointed to coordinate the ETPL for the local area where the headquarters is located. Out of state providers that are approved and listed on another State's ETPL can also be used, pending verification from the WDB.
2. CONTRACTOR is required to enter performance data for each program to be listed on the ETPL and to provide evidence to the WDB that it has met the minimum performance criteria required. Programs that do not include performance data will not be approved for listing on the ETPL. The WDB will use CalJOBS to review and accept new and updated program changes from the CONTRACTOR.
3. CONTRACTOR must provide the WDB with a copy of its Annual Report to document its achievement of the performance criteria and to validate this information through the State of California Bureau for Private Postsecondary Education's (BPPE) Approved Institutions website. ([www.bppe.ca.gov/schools/approved\\_schools.shtml](http://www.bppe.ca.gov/schools/approved_schools.shtml)) If CONTRACTOR is a private, postsecondary education provider that is not subject to BPPE oversight (e.g. Western Association of Schools and Colleges (WASC) Junior or Senior Colleges), then CONTRACTOR must provide evidence of its reported outcomes, shall post reported outcomes on its website, or otherwise make its reported outcomes easily available for public access.

##### B. ETPL Initial Eligibility:

1. CONTRACTOR must adhere to the following initial eligibility criteria, except for California Department of Industrial Relations, Division of Apprenticeship Standards (DIR/DAS) registered apprenticeship programs:
  - a. Contractor shall provide training for occupations in in-demand industry sectors identified as follows: Agriculture; Tourism & Hospitality; Education & Research; Health & Social Assistance, and Construction. In instances, where it can be demonstrated that there is a demand for workers in the field of employment being sought by a WIOA eligible participant and that training will result in increased earnings and career pathway opportunities, training may be allowable, in the sole discretion of the WIOA service provider in the Monterey County local workforce area.
  - b. CONTRACTOR shall ensure training results in awarding participants with an industry-recognized credential, national or state certificate, or degree, including all industry appropriate competencies, licensing and /or certification requirements.
  - c. CONTRACTOR shall provide verifiable, program-specific, performance information to the WDB, including the following:
    - i. A description of each program of training services offered;
    - ii. Information addressing participant performance (employment, earnings, credential attainment);
    - iii. A description of CONTRACTOR's partnership with business, including input CONTRACTOR obtained from local/regional business advisory groups, the role of business in developing CONTRACTOR's curriculum, the role of business in providing

- CONTRACTOR's work-based learning, and/or the stated plans by business to hire graduates of CONTRACTOR's training programs;
- iv. Demonstration that CONTRACTOR offers high quality training services, including a program of training services that leads to a recognized postsecondary credential or entry into an approved apprenticeship program; and
  - v. Information that addresses alignment of the training services offered by CONTRACTOR with in-demand industry sectors and occupations in the Monterey County local workforce area.
- d. CONTRACTOR shall provide documentation to the WDB that it meets at least one of the following criteria in order to have its program(s) listed on the ETPL:
- i. Approval to Operate or Verification of Exemption by the California Bureau for Private Postsecondary Education (BPPE). This information can be obtained on the BPPE website at: [www.bppe.ca.gov/schools/approved\\_schools.shtml](http://www.bppe.ca.gov/schools/approved_schools.shtml). To claim an exemption to BPPE, (reference Section 94874 of the BPPE Act), CONTRACTOR must apply and receive a "Verification of Exemption" before being listed on the ETPL;
  - ii. Accreditation: CONTRACTOR may be accredited by one of the following: the Accrediting Commission for Senior Colleges and Universities, Western Association of Schools and Colleges (WASC), the Accrediting Commission for Community and Junior Colleges, California State University (CSU), University of California (UC), and other WASC accredited institutions;
  - iii. Postsecondary Status: CONTRACTOR may be a postsecondary institution, eligible under Title IV of the Higher Education Act (HEA) to offer programs leading toward an associate degree, baccalaureate degree, or certificate;
  - iv. Apprenticeship Programs: CONTRACTOR may offer an apprenticeship program that is registered with the Department of Labor (DOL), or recognized by the California Department of Industrial Relations, Division of Apprenticeship Standards (DIR/DAS) and therefore is automatically eligible to be included on the ETPL;
  - v. Pre-Apprenticeship Skills Training: To provide pre-apprenticeship training, CONTRACTOR shall provide the WDB with a letter of commitment from an approved apprenticeship program, shall meet the application policies and procedures required for the type of program (e.g. community college, private post-secondary, adult education providers, etc.), and must be approved by the DIR/DAS. Contractor shall demonstrate that its pre-apprentice programs possess a strong record of enrolling their graduates into a registered apprenticeship program;
  - vi. Approval by the California Department of Education; or
  - vii. Approval by the Chancellor's Office of the California Community Colleges.
2. CONTRACTOR must meet the applicable state minimum performance criteria for initial eligibility, as described below:
- a. *Private Postsecondary Education Provider – Initial Eligibility:*
    - CONTRACTOR's program(s) must meet the Entered Employment (placement) Rate performance standard established by the State of California Workforce Development Board (State WDB).
    - In demand or priority industry sector information must be verified with the WDB.
    - If CONTRACTOR's program(s) have been exempted from BPPE, CONTRACTOR must post program performance on its website and submit to the WDB a BPPE Exempt Provider Program Performance Report, referenced in the EDD Directive WSD15-07, "WIOA Eligible Training Provider List – Policy and Procedures", located online at: [www.edd.ca.gov/Jobs\\_and\\_Training/pubs/wsd15-07.pdf](http://www.edd.ca.gov/Jobs_and_Training/pubs/wsd15-07.pdf).
  - b. *Registered Apprenticeship Programs – Initial Eligibility:*
    - CONTRACTOR's registered apprenticeship programs that are registered with the DOL, or recognized by DIR/DAS are automatically eligible to be included on the ETPL.
  - c. *California Community College, CSU and UC Programs – Initial Eligibility:*
    - All California Community College, CSU and UC programs in priority industry sectors will be added to the ETPL by the WDB upon request by the college. If CONTRACTOR is a post-secondary education institution, its programs must be offered directly and

may not be subcontracted out to a third-party vendor, absent WDB consent. Prior approval by the WDB is required if third-party vendors are to be considered.

- If CONTRACTOR is a post-secondary education institution, its programs 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.

d. *Adult Education Programs – Initial Eligibility:*

- If CONTRACTOR offers adult education programs, those programs must meet the minimum performance criteria established by the State WDB and 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.
- In demand or priority industry sector information must be verified with the WDB.

3. CONTRACTOR must adhere to the following criteria to list new programs:

To be considered a “new” program, the program cannot have been offered to the general public before CONTRACTOR’s application to the ETPL. New program does not mean new to WIOA or the ETPL; it means new to CONTRACTOR’s training programs. The proposed new program must meet all other eligibility criteria. The initial period of performance shall be between 12 to 24 months.

**C. ETPL Subsequent Eligibility:**

All CONTRACTOR’s programs on the ETPL, with the exception of DIR/DAS apprenticeship programs, will be evaluated annually to ensure they continue to remain eligible beyond the period of initial eligibility. This determination is called “subsequent eligibility”.

CONTRACTOR must comply with the requirements for ETPL subsequent eligibility established by the State of California in order to continue listing on the ETPL through CalJOBS. Performance for subsequent eligibility will be verified by the WDB annually by December 1, utilizing BPPE, CalJOBS, California Department of Industrial Relations, Division of Apprenticeship Standards, local California Community Colleges, local Adult Schools, local board, annual reports, and other appropriate data sources.

1. CONTRACTOR must meet the applicable performance criteria for subsequent eligibility as described below:

a. *Private Postsecondary Education Provider – Subsequent Eligibility:*

- If CONTRACTOR is a postsecondary education provider, Employment (placement) rate equal to or above the performance standard established by the State WDB, released on an annual basis via a Workforce Services Division Information Notice located online at:  
[http://www.edd.ca.gov/Jobs\\_and\\_Training/Information\\_Notices.htm](http://www.edd.ca.gov/Jobs_and_Training/Information_Notices.htm).

b. *Registered Apprenticeship Programs – Subsequent Eligibility:*

- In CONTRACTOR offers apprenticeship programs, DIR/DAS will review and maintain the list of approved apprenticeship programs in ETPL; CONTRACTOR’s apprenticeship must remain eligible as determined by DIR/DAS.

c. *Community College, CSU and UC Programs – Subsequent Eligibility:*

- If CONTRACTOR is a post-secondary institution, its program completion rates shall be provided to the WDB and entered in the performance area of the CalJOBS system for each program in CalJOBS.
- CONTRACTOR shall report and enter employment rates in the performance area of the CalJOBS system for WIOA participants registered for a post-secondary education program.

d. *Adult Education Programs – Subsequent Eligibility:*

- If CONTRACTOR provides Adult Education Programs, it must demonstrate a resulting employment rate equal to or above the performance standard established by the State

WDB for all WIOA participants. CONTRACTOR shall report and enter Adult Education Program results in the performance area of the CalJOBS system.

**D. ETPL Eligibility Waiver:**

CONTRACTOR may request a waiver of eligibility from the WDB. It can request either an initial or subsequent eligibility waiver for a training program that does not meet the minimum performance standards established by the State WDB. This option is necessary to align current ETPL policy with Section 122(b) of WIOA, which allows for consideration of the characteristics of the population served, availability of training providers in rural areas, and relevant economic conditions. To access the waiver process and forms, CONTRACTOR shall reference EDD Directive WSD15-07, "WIOA Eligible Training Provider List – Policy and Procedures", located online at: [www.edd.ca.gov/Jobs\\_and\\_Training/pubs/wsd15-07.pdf](http://www.edd.ca.gov/Jobs_and_Training/pubs/wsd15-07.pdf).

**E. ETPL Appeals:**

CONTRACTOR shall have the right to appeal WDB or State of California denial for listing on ETPL, or de-listing from ETPL, using procedures adopted by the State of California for CalJOBS. The appeals process is described in EDD Directive WSD15-07, "WIOA Eligible Training Provider List – Policy and Procedures", located online at: [www.edd.ca.gov/Jobs\\_and\\_Training/pubs/wsd15-07.pdf](http://www.edd.ca.gov/Jobs_and_Training/pubs/wsd15-07.pdf).