



**LOP Number**  
WIOA 23-04

## **Policy**

<b>Title:</b>	Eligible Training Provider List (ETPL) Requirements		
<b>Program:</b>	Workforce Innovation and Opportunity Act (WIOA)		
<b>Effective:</b>	06/26/2020	<b>Revised:</b>	11/15/2023

### **PURPOSE**

The purpose is to provide guidance to CareerSource Pinellas (CSP) staff, as well as post-secondary training providers of training services programs funded under the Workforce Innovation and Opportunity Act (WIOA), regarding the Eligible Training Provider (ETP) requirements. The document provides guidelines for: the initial and subsequent determination of eligibility of training providers; the federal and state requirements for training providers; performance standards, the reporting of data and the removal provisions for training providers.

### **BACKGROUND**

The Workforce Innovation and Opportunity Act, at Section 122, WIOA, requires the Governor, through CareerSource Florida, to establish criteria, information requirements and procedures regarding the eligibility of providers of training services to receive funds provided under section 133(b), WIOA, for the provision of training services in local areas in the State.

This policy describes the process for determining eligible training providers for WIOA Title I-B adult, dislocated worker, and Youth training participants. The workforce development system established under WIOA emphasizes informed consumer choices, job-driven training, provider performance, and continuous improvement. The quality and selection of providers and training services programs is vital to achieving these core principles. The Eligible Training Provider List (ETPL) and the related eligibility procedures ensure the accountability, quality and labor-market relevance of training services programs that receive funds through WIOA title I-B. The ETPL is also a means for ensuring informed customer choice for individuals eligible for training. In administering the eligible training provider process CSP works to ensure that qualified providers offering a wide variety of job-driven training programs are available. The ETPL is updated throughout the year and is publicly available on the CSP website at: <https://careersourcepinellas.com>, The ETPL is easily available in an electronic format, and is accompanied by relevant information to maximize informed customer choice and serve all significant populations groups.

## **POLICIES AND PROCEDURES**

Eligible providers of training services programs (ETP) are entities that are eligible to receive WIOA title I-B funds for adult and dislocated worker participants who enroll in training services programs through “Individual Training Accounts” (ITA). ITAs may also be used for WIOA Title I Youth funds to provide training to older, out-of-school youth, ages 18 to 24 and in-school youth, ages 16-21.

WIOA requires qualified providers offering a variety of job-driven training programs are available. A training provider must provide a program of study to be included on the ETPL.

### **PROVIDER AND PROGRAM ELIGIBILITY UNDER WIOA**

To be eligible to apply for inclusion on the ETPL and to receive training funds under WIOA Section 133(b), the training provider must be one of the following types of entities detailed in 20 CFR 680.410(d):

1. An institution of higher education such as universities, college, or other public or private institutions or higher education that provide programs that lead to a recognized postsecondary credential.
2. Registered Apprenticeships Programs (RAPs)
3. Other public or private providers of training services programs, which may include community-based organizations and joint labor-management organizations.
4. Eligible providers of adult education and literacy activities under WIOA Title II, if these activities are provided in combination with training services as described in 20 CFR 680.350
5. Except for training programs listed as a registered apprenticeship, all other training providers’ programs shall be for training for occupations on the Targeted Occupation List (TOL) and the state Master Credentials List (MCL), current at the time of training, to be eligible to receive training funds under Section 133(b), WIOA.

*Note: A public or private school district that maintains AdvancED/SACS accreditation and provides occupational skills training in combination with a high school diploma may be an eligible training provider.*

#### **A. PROGRAM OF STUDY**

A program of study is a course, class, or structured regimen that provides training leading to:

1. An industry-recognized postsecondary credential, a secondary school diploma, or equivalent;
2. Employment; or
3. Measurable skills gain leading to one of the above.

Training services may be delivered in person, online, or using a blended method or approach. Online training providers may apply and be considered for inclusion on the state and local ETPLs but are required to meet the same eligibility and performance criteria established for classroom-based instruction providers. Training programs must also be made physically and programmatically accessible for individuals who are employed and individuals with barriers to employment, such as persons with disabilities.

ETPs may offer programs of study that include:

1. Occupational skills training including training for non-traditional employment;
2. On-the-Job Training (OJT);
3. Incumbent Worker Training (IWT);
4. Programs that combine workplace training with related instruction, which may include cooperative education programs;
5. Private-sector training programs;
6. Skill upgrading and retraining;
7. Entrepreneurial training;
8. Job readiness training provided in combination with training services or transitional jobs;
9. Adult education and literacy activities, including activities of English language acquisition and integrated education and training programs, provided concurrently or in combination with services provided in the programs listed in numbers 1. through 7., above; and
10. Customized training conducted with a commitment by an employer or group of employers to employ an individual upon successful completion of the training.

## **B. INFORMATION REQUIREMENTS TO ESTABLISH “INITIAL ELIGIBILITY”**

### **1. Initial Eligibility (Training Providers)**

Providers of training programs seeking “Initial Eligibility” may receive “Initial Eligibility” for only one (1) full year, after which they may seek “Continued Eligibility.” Training Providers submit detailed information regarding each program they are requesting to be included on the ETPL.

The ETPL may have identical training programs offered under different training providers. This encourages WIOA participants to make informed decisions.

Programs requested to be added to the ETPL following November 15, 2023, or at renewal must be part of the Department of Education (DOE) Approved curriculum under the provider’s Florida Commission for Independent Education (CIE) license or authorized under Florida law to provide training services.

The provider shall supply verifiable program-specific performance information. Information submitted along with the application shall support the provider's ability to serve participants under section 122, WIOA. Such information shall include as a minimum, but is not limited to:

- a. A description of the training or educational institution including the provider's address, email, Federal Employer Identification Number (FEIN), and the name of the contact person;
- b. Verification the provider is licensed, certified, or otherwise authorized under Florida law to provide training programs. (This applies to in-state and out-of-state providers.)
- c. A detailed description of each training program the applicant intends to provide.
- d. Information on the cost of attendance, including, but not limited to, tuition and fees.
- e. Whether the training program leads to an industry-recognized credential, including recognized postsecondary credential, identifying that credential.
- f. Whether the credential can be stacked with other credentials as part of a sequence to move an individual along a career pathway or up a career ladder.
- g. Whether the provider has developed the training in partnership or collaboration with a business or industry (identifying the business or industry).
- h. Identify the in-demand industry sectors and occupations which best fit with the training program.
- i. A description of the prerequisites or skills and knowledge required prior to the commencement of training.
- j. Verification the training program is for an occupation on the Local Area TOL/MCL.
- k. Proof the training program is part of the DOE approved curriculum under the provider's CIE license.

## **2. Initial Eligibility (Programs of Study)**

A training provider's request for an initial eligibility determination must be accompanied by a request for initial eligibility determination for at least one program of study. A training provider may request initial eligibility determinations for multiple programs of study, but each program of study is reviewed independently. When an ETP with continued eligibility for one or more programs of study requests that a new program of study be added to the ETPL, the new program of study will undergo an initial eligibility determination and may be approved or denied.

All eligibility determinations are made based on the review of required information.

Training providers seeking initial eligibility for a program of study should contact a LWDB in the local area or planning region in which they plan to operate.

### **C. CONTINUED/SUBSEQUENT ELIGIBILITY**

After a training provider has completed the one-year initial eligibility period, the training provider is required to apply for continued eligibility and recertify their program(s) of study every two years to maintain their eligibility for the ETPL. This process requires submission of performance and cost information for each program of study listed on the state ETPL.

Applications for continued eligibility must be submitted three months prior to the end of their current eligibility period.

Each training provider seeking continued eligibility must supply verification the provider is licensed, certified, or otherwise authorized under Florida law (if applicable) to be a provider of training services as required by 20 CFR 680.410. This requirement applies to in-state and out-of-state providers.

Information reported to state agencies on federal and state training programs other than WIOA Title I-B programs as listed below:

- a. The total number of persons enrolled in the program;
- b. The total number of WIOA participants enrolled in the program;
- c. The total number of persons completing the program;
- d. The total number of WIOA participants completing the program;
- e. Quality<sup>1</sup> of the program of study including a program that leads to a recognized postsecondary credential;
- f. Provider's ability to offer industry-recognized certificates and credentials;
- g. The total number of persons awarded a Recognized Postsecondary Credential (or other credential, if applicable);
- h. The total number of WIOA participants awarded a Recognized Postsecondary Credential (or other credential, if applicable);
- i. The total number of persons employed after completing the program;
- j. The total number of WIOA participants employed after completing the program;
- k. Data identifying the cost of attendance and costs of tuition and fees for WIOA participants completing the program;
- l. Information on recognized postsecondary credentials (or other credential, if applicable) received by WIOA participants;

<sup>1</sup> Florida defines quality as training programs that meet the minimum criteria as defined in this policy as well as programs that develop skills valued by priority industry sectors.

- m. Whether the credential can be used in conjunction with other credentials as part of a sequence to move an individual along a career pathway or up a career ladder;
- n. Description of how the provider will ensure access to programs of study throughout the state, including in rural areas, and using technology (as applicable);
- o. Description of provider's ability to provide trainings that are physically and programmatically accessible for individuals who are employed and individuals with barriers to employment, including individuals with disabilities;
- p. Information reported to state agencies with respect to federal and state programs of study (other than the program carried out under WIOA), including one-stop partner programs;
- q. Performance on WIOA performance indicators;
- r. The degree to which programs of study relate to in-demand industry sectors and occupations in the state;
- s. Timeliness and accuracy of ETP's performance reports; and
- t. Any additional factors that are determined appropriate within the parameters of WIOA and statutes.

#### **D. REGISTERED APPRENTICESHIP PROGRAMS**

In accordance with the National Apprenticeship Act (NAA) (50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.), entities that carry out RAPs are exempt from the initial and continued eligibility requirements described in this policy. RAPs must be included and maintained on the ETPL until:

1. The RAP notifies FloridaCommerce it no longer wants to be included on the list;
2. The program becomes deregistered under the National Apprenticeship Act;
3. The program is determined to have intentionally supplied inaccurate information; or
4. A determination is made by FloridaCommerce that the RAP substantially violated any provision of Title I of WIOA or the WIOA regulations, including 29 CFR part 38.

Because RAPs are exempt from all initial and continued eligibility requirements, additional criteria may not be imposed or information requirements for RAP sponsors except as outlined in Training and Employment Guidance Letter Nos. 08-19 and 08-19, Change 1, and TEGL No. 13-16, Change 1.

A RAP is an ETP if it is registered with DOE, Office of Apprenticeship (OA), or any other state's State Apprenticeship Agency (SAA). Although they are automatically eligible for ETPL inclusion, RAP sponsors seeking to have their apprenticeship programs listed on the ETPL must still "opt-in" by informing the Florida Commerce at [ETPL@commerce.fl.gov](mailto:ETPL@commerce.fl.gov). If a RAP expresses interest in being on the ETPL, they must provide the following information:

1. Occupations included in the RAP;
2. The name and address of the RAP sponsor;
3. The name and address of the Related Technical Instruction provider and the location of instruction if different from the program sponsor's address;
4. The method and length of instruction; and
5. The number of active apprentices.

FloridaCommerce will regularly coordinate with USDOL, CareerSource Florida and DOE to ensure that necessary updates are made to any information previously provided by RAP sponsors or training providers. FloridaCommerce will also coordinate with DOE to ensure that RAPs registered with the DOE are made aware that they are eligible for placement on the ETPL, and that DOE is informed when a RAP that is registered with USDOL's OA or another state's SAA contacts FloridaCommerce to opt-in to inclusion on the ETPL.

Apprenticeship programs that are not registered with DOE, OA, or another state's SAA are not considered RAPs and must complete the initial eligibility and continued eligibility procedures. Pre-apprenticeships, including quality registered pre-apprenticeships leading to RAPs, are not automatically approved for inclusion on the ETPL and are not exempt from requirements outlined in this policy. Other programs of training services offered by a RAP sponsor or a RAP's provider of related instruction are likewise not automatically eligible.

- a. Except for registered apprenticeships, all applications for WIOA "Initial Eligibility" must be submitted to CSPIN. The training provider must specifically identify the program(s) it intends to provide.
- b. A provider that receives "Initial Eligibility" under this paragraph for any program shall be subject to all the requirements for that program even after such "Initial Eligibility" expires.
- c. Registered apprenticeship programs are not subject to the "Initial Eligibility" criteria or application requirements. While registered apprenticeships are automatically eligible, not all registered apprenticeship programs may want to be included on the list. Registered apprenticeship programs shall automatically be included on the State ETPL until such time as the program: 1) loses its registration; or 2) notifies Florida Commerce in writing that it wants to be removed from the ETPL.

## **E. OUT-OF-LOCAL-AREA AND OUT-OF-STATE PROVIDERS**

Out-of-state postsecondary institutions that are not operating within the State of Florida and are not required to be licensed by the Florida Commission of Independent Education (CIE) must provide the following information to CSP if it wishes to do business in this region:

1. Performance information for each program for which it seeks approval, AND
2. Evidence that the institution (and applicable programs) is accredited by an accreditation agency approved by the United States Department of Education, AND
3. Evidence that the institution meets the licensing requirements of its home state, AND
4. Evidence that the institution is on its state's ETPL, AND
5. Evidence that the specified training program is not available in the State of Florida.

## **F. ANNUAL REPORTING**

As required by FloridaCommerce training providers will submit or upload information into Employ Florida (EF). This will include information on enrolled and completer individuals for each program of study being considered for continued eligibility. The student data must be submitted each year for each program of study and must include social security numbers for performance to be calculated.

FETPIP reporting may also be used in place of the annual reporting.

## **G. DENIAL, DEACTIVATION, REMOVAL, OR LOSS OF PROVIDER OR PROGRAM ELIGIBILITY**

There are circumstances under which training providers may be denied, deactivated, removed, or lose their eligibility for inclusion the ETPL. Prior to approving an ITA for a WIOA-eligible individual, training providers and program of study must be included on the ETPL at the time the participant is enrolled in the program of study.

### **Denial**

A training provider will receive written notice if CSP does not approve the training provider or a program of study.

### **Deactivation**

Once an ETP or program of study is approved, it will remain on the ETPL through the continued eligibility period of two years unless removed by CSP for documented training provider and/or program of study violations.



Training providers or programs of study are subject to deactivation and removal from the ETPL if:

1. CSP determines the training provider intentionally supplied inaccurate information or substantially violated any provision of Title I of WIOA regulations, including 29 CFR Part 38;
2. The program of study fails to meet the states' minimum performance levels as required in 20 CFR 680.460(g); or
3. The training provider loses its license or accreditation from its accrediting body.

### **Loss of Eligibility and Removal**

A program of study may be removed from the state ETPL if:

1. The training provider fails to supply participant data required for the performance review by the annual due date.
2. It is determined that the training provider intentionally supplied inaccurate information or substantially violated any provisions of Title I of WIOA or the WIOA regulations, including 29 CFR part 38.
3. It is determined that the provider is engaging in fraud or other criminal acts, incapacity, unfitness, neglect of duty, official incompetence, irresponsibility, misfeasance, malfeasance, gross mismanagement, waste, nonfeasance, or lack of performance.

### **Re-application**

Training Providers may reapply under the initial eligibility criteria once the reason for denial or removal has been resolved.

## **H. APPEALS**

For an appeal to any decision the appellant shall follow the appeals procedure established in the local plan.

## **I. ETPL AND NON-ITA TRAINING SERVICES**

There are exceptions to the required use of the ETPL for ITA-funded training. In the following situations covered by these exceptions, a contract for services between the CSP and the training provider may be attained and implemented to ensure services are provided instead of selecting a training provider from the state ETPL.

### **Work-Based Training**

WIOA supports training and work experience for job seekers through work-based training, which is coordinated by CSP through collaboration with local employers. Activities, like OJT, Customized Training, and IWT do not require inclusion on the ETPL, in accordance with 20 CFR 680.530. Please see [Administrative Policy 100](#) for

additional information on work-based training.

### **Training Contract**

A program of study may be provided through training contracts instead of ITAs when there is not sufficient availability of eligible training providers in the area to accomplish the purpose of an ITA. These contracts may be used for cohort training, per TEGL 21-22, Attachment 1, or in one of the other situations prescribed in 20 CFR 680.320. Because training contracts do not use ITAs, the training provider is not required to be included on the state or local ETPL.

### **Non-WIOA**

The ETPL is a requirement of WIOA and only applies to programs that are supported by WIOA funding. Providers of training services that do not intend to seek WIOA funding do not need to request or pursue ETPL inclusion.

## **J. DEFINITIONS**

- 1. Continued Eligibility:** “Continued Eligibility” or “Subsequent Eligibility” is the eligibility determination that allows training providers to remain on the ETPL until the next eligibility determination.
- 2. Credential:** A WIOA indicator consisting of a recognized postsecondary credential (an industry-recognized certificate or certification, a certificate of completion of an apprenticeship, a license recognized by the state involved or federal government, or an associate or baccalaureate degree) or a secondary school diploma, or its recognized equivalent, during participation in or within one year after exit from the program. All credentials must be included on the Master Credentials List and a credential’s inclusion on the Master Credentials List is sufficient to meet the WIOA definition of “credential.”
- 3. Eligible Training Provider (ETP):** A provider of training services or programs of study (as prescribed in 20 CFR 680.410) that has met the eligibility requirements to receive WIOA funds for providing training service programs to eligible individuals.
- 4. Eligible Training Provider List (ETPL):** A statewide or local compilation of ETPs (as prescribed in 20 CFR 680.410) and approved programs of training services or programs of study (as prescribed in 20 CFR 680.420).
- 5. Individual Training Account (ITA):** A payment agreement with an ETP established on behalf of a WIOA participant for a program of training services or programs of study as prescribed in WIOA section 134(c)(3).
- 6. Initial Eligibility:** The initial determination that allows a training provider and approved program of training services or programs of study onto the state or local ETPL for the first year. An established ETP may also request an initial eligibility determination for a new program of study.

- 7. Master Credentials List (MCL):** Required by the Reimagining Education and Career Help (REACH) Act, the Master Credentials List is a comprehensive list of state-approved degree and non-degree credentials of value that prepare Floridians for in-demand occupations. Credentials on the list satisfy the criteria set forth by the Florida Credentials Review Committee in the Framework of Quality. Programs of study must be on the MCL to be on the state ETPL.
- 8. Personally Identifiable Information (PII):** Information used to distinguish or trace an individual's identity, either alone or when combined with other personal or identifying information, linked or linkable to a specific individual.
- 9. Program of Training Services:** A "Program of Training Services" or "Program of Study" as prescribed in 20 CFR 680.420. Such a program consists of one or more courses or classes, or a structured regimen, leading to one or more of the following: A recognized postsecondary credential, secondary school diploma or its equivalent; employment; or a measurable skills gain toward such a credential or employment.
- 10. Registered Apprenticeship Program (RAP):** A program that is registered with the USDOL Office of Apprenticeship (OA) or any State Apprenticeship Agency (SSA) as prescribed in 20 CFR 680.470(a). Florida's State Apprenticeship Agency is the Florida Department of Education's Office of Apprenticeship.
- 11. Sponsor (of a Registered Apprenticeship Program):** Any person, association, committee, or organization operating an apprenticeship program and in whose name the program is (or is to be) registered or approved.
- 12. Training Provider:** A university, college, public or private technical or vocational training institution, a private training company or private instructor, or a company employee who is qualified to provide instruction that leads to a recognized postsecondary credential, license, secondary school diploma or equivalent.

## K. AUTHORITY

[Workforce Innovation and Opportunity Act of 2014, Public Law 113-128](#)

[20 Code of Federal Regulations \(CFR\) 680.400 et seq., Subpart D – Eligible Training Providers](#)

[Training and Employment Guidance Letter \(TEGL\) No. 8-19 and TEGL No. 8-19, Change 1](#)

[TEGL No. 13-16](#)

[TEGL No. 3-18](#)

[TEGL No. 21-22](#)

[Section 445.003\(7\)\(b\), Florida Statutes \(F.S.\) Section 445.004\(4\)\(h\), F.S.](#)

CareerSource Florida Administrative Policy 90: WIOA Eligibility Training Providers List