



Agenda Packet

Tuesday, January 20, 2015
10:00 a.m. to 12:00 p.m.

**State Building & Construction
Trades Council of California
1231 I Street, Suite 302
Sacramento, CA 95814
(916) 443-3302**

*Governor
Edmund G. Brown Jr.*

*Chair
Mike Rossi*

*Executive Director
Tim Rainey*



CALIFORNIA WORKFORCE INVESTMENT BOARD MEETING NOTICE



Tuesday, January 20, 2015
10:00 a.m. to 12:00 p.m.

Tim Rainey
Executive Director

Michael Rossi
Chair

State Building & Construction Trades Council of California
1231 I Street, Suite 302
Sacramento, CA 95814
(916) 443-3302

Edmund G. Brown, Jr.
Governor

Alternate Meeting Locations:

Worker Education & Resource Center I Healthcare Workforce Development Program
1545 Wilshire Blvd., 5th Floor,
Los Angeles, CA 90017
213.639.2220

Center for Continuing Study of the California Economy
385 Homer Avenue
Palo Alto, CA 94301
650.321.8550

AGENDA

1. **Welcome and Opening Remarks**
2. **Public Comment**
3. **Action Items**
 - a. Approval of the September 10, 2014 Meeting Summary
 - b. Approve the [South Bay Local Area Modification Application](#)
 - i. [EDD Analysis and Recommendation](#)
 - ii. [South Bay Application](#)
 - iii. [South Bay Application Attachments](#)
 - c. Approve the [Amendment to the ETPL Policy](#)
4. **Updates & Discussion**
 - a. [Governor's 2015-16 Budget Summary](#)
 - I. Investing in California's Workforce: pages 47-51
 - b. Workforce Innovation and Opportunity Act Activities
 - I. Implementation Plan
 - II. WIOA Implementation Workgroup
 - III. Increased Skills and Credential Attainment Workgroup Committee
 - IV. SlingShot
5. **Other Business**

Meeting conclusion time is an estimate; meeting may end earlier subject to completion of agenda items and/or approved motion to adjourn. In order for the State Board to provide an opportunity for interested parties to speak at the public meetings, public comment may be limited. Written comments provided to the Committee must be made available to the public, in compliance with the Bagley-Keene Open Meeting Act, §11125.1, with copies available in sufficient supply. Individuals who require accommodations for their disabilities (including interpreters and alternate formats) are requested to contact the California Workforce Investment Board staff at (916) 657-1440 at least ten days prior to the meeting. Please visit the California Workforce Investment Board website at <http://www.cwib.ca.gov> or contact Daniel X. Patterson for additional information. Meeting materials for the public will be available at the meeting location.

Item 1. Welcome and Opening Remarks

Item 2. Public Comment

Item 3. Action

- a. Approval of the September 10, 2014 Meeting Summary
- b. Approval of Local Area Modification Application
- c. Approval of ETPL Policy Amendment

CALIFORNIA WORKFORCE INVESTMENT BOARD
FULL BOARD MEETING
September 10, 2014

1. Welcome and Opening Remarks

With a quorum present, Chair Mike Rossi convened the meeting at 10:15 a.m., welcoming the Board members and giving a brief overview of the State Board's work for the next 12 months. Chair Rossi would like the Board to work on creating another pathway to the middle class other than the standard academic 4-year degree, with specific focus on apprenticeships and how to make them work, as well as the restructuring of the Board's committees to help streamline and pinpoint the initiatives. He then introduced Robbie Hunter, President of the State Building and Construction Trades Council of California (SBCTC). President Hunter welcomed the Board and gave a brief overview of the SBCTC and its activities.

Members in Attendance:

Roberto Barragan	Josh Becker
Robert Beitcher	John Brauer
Kenneth Burt	Jerome Butkiewicz
Jamil Dada	Jim Suennen for Diana Dooley
Imran Farooq	Mike Gallo
Van Ton-Quinlivan for Brice Harris	Dennis Petrie for Patrick Henning, Jr.
Pamela Kan	Ro Khanna
David Lanier	Steve Levy
Laura Long	Nathan Nayman
Catherine O'Bryant	Kimberly Parker
Henry R. Perea	Diana Ravnik
Bob Redlo	Mike Rossi, Chair
Monica Cortez Hernandez for Rudy Salas	Hermelinda Sapien
Jeremy Smith	Anette Smith-Dohring
Abby Snay	Bruce Stenslie
Joe Radding for Weikle/Torlakson	Floyd Trammell
Joseph Williams	Carol Zabin

2. Public Comment

None

3. Action Items

a. Approval of the March 19, 2014 Meeting Summary

A motion to approve the summary was moved by member Mike Gallo, seconded by member Pam Kan, and unanimously approved.

b. Approval of Recommendations on Committee Priorities

A motion to approve the recommendations was moved by member Jamil Dada, seconded by member Van Ton-Quinlaven, and unanimously approved.

4. Updates & Discussion

a. Priority Work for the Year

- SlingShot Implementation Presentation
- Workforce Innovation and Opportunity Act (WIOA)
 - Implementation Priorities & Timeline

Executive Director, Tim Rainey, reviewed the documents and provided a detailed overview of the proposed committee restructuring/realignment and what specific policies/issues those new groups will work on. Dennis Petrie and numerous members spoke in approval of the restructuring and prioritization of work. There was a great deal of discussion around the WIOA's definitions of regions/sectors, employment zones, how the legislation will affect the current local workforce investment areas, skills and credential attainment and how the state plan is in alignment with the federal plan. Chair Rossi asked the Board not to lose sight that the act primarily focuses on a "jobs program predicated on mid-skill jobs and the ways of getting people trained for that." Tim Rainey advised the system has to work for everyone and re-stated the WIOA seeks to align resources, rather than continuing the existing funding silos. Tim also restated the purpose of the SlingShot strategy as a regional organizing effort that will target funding resources to accelerate good employment outcomes for specific groups. Bob Redlo and Bruce Stenslie noted the need to maintain (and improve) performance measures and benchmark criteria to track progress.

Van Ton-Quinlaven stated the WIOA is definitely "an opportunity for some major system alignment" and noted the Board of Governors, Chancellor's Office of the CA Community Colleges, is moving forward with a taskforce on workforce job creation and the strong

economy, and will look at policies and practices that are obstructive. All agreed collaborative efforts will be more important than ever to fulfill the work.

LWDA Secretary, David Lanier, commented positively on the work that has been done by the state and local boards and noted the work puts California in a uniquely- favorable position for WIOA implementation.

5. Other Business

a. 2015 Meeting Calendar

There were no comments on the item.

Member Joseph Williams requested assistance from the EDD in obtaining after-training employment data for his LWIB's (San Bernardino) participants.

Member Floyd Trammell asked that additional attention be paid to the need for assistance in overcoming language barriers.

Chair Rossi adjourned the meeting at 11:45 p.m.

Action Requested

Review and recommend approval to the Governor the application from the South Bay Workforce Investment Board to modify its local workforce investment area boundaries to include the cities of Lomita and Torrance.

Background

On October 23, 2014, the California Workforce Investment Board (CWIB) received the signed copy of the application from the South Bay Workforce Investment Board (SBWIB) for local area modification. The application is in response to requests made by the Cities of Torrance and Lomita to join the South Bay Workforce Investment Area (SBWIA). The Cities of Torrance and Lomita are currently part of the Pacific Gateway Local Workforce Investment Area.

City Councils of Torrance and Lomita, as well as the Board of Directors of the SBWIB, voted unanimously in support of the transfer to unify South Bay as a well-defined economic sub-region of Los Angeles County.

The application was referred to the Employment Development Department (EDD) for review and analysis. Their recommendation is to approve the application. State Board staff agrees with EDD's analysis and support the recommendation.

Policy Criteria

Section 116 of the federal Workforce Investment Act (WIA) provides the Governor with the authority and the responsibility to designate Local Workforce Investment Areas (local area). These responsibilities are also codified in the California Unemployment Insurance Code. South Bay's application is consistent with the California Workforce Investment Board's (State Board) policy for requesting a local area modification as contained in Directive WIAD05-02 and was recommended for approval by the State Board's Executive Committee on December 15, 2014.

Next Steps

Upon recommendation by the full Board and approval by the Governor, this modification will be effective July 1, 2015. During this transition period, the EDD will take the administrative actions to effect this local area modification. This will include such things as revision of federal formula funding allocations, transfer of affected participants and records, physical assets and other related administrative and programmatic functions.

LOCAL AREA MODIFICATION REQUEST ANALYSIS
South Bay Workforce Investment Board
Request to add the Cities of Lomita and Torrance

Summary

On October 23, 2014, the California Workforce Investment Board (CWIB) received the signed copy of the application from South Bay Workforce Investment Board (SBWIB) for local area modification. The application is in response to requests made by the Cities of Torrance and Lomita to join the South Bay Workforce Investment Area (SBWIA). The Cities of Torrance and Lomita are currently part of the Pacific Gateway Local Workforce Investment Area. The Board of Directors of the SBWIB voted unanimously in support of the transfer to unify South Bay as a well-defined economic region of Los Angeles County.

The SBWIB appears to have followed all requirements in WIA Directive WIADD05-2, *Local Area Modification Process*, dated July 29, 2005, which governs this process. The State Board's Executive Committee reviewed the application on December 15, 2014 and recommends approval by the full Board.

Recommendation

The Employment Development Department's Workforce Services Branch recommends approval of the modification request. Adding the Cities of Torrance and Lomita to the South Bay Workforce Investment Area fosters regional collaboration while maintaining quality and accessible services to job seekers and employers. These goals are also consistent with the intent and purpose of the Workforce Innovation and Opportunity Act of 2014.

Description of Local Area

The South Bay Workforce Investment Area is currently operating under a Joint Exercise of Powers Agreement between a consortium of nine South Bay Cities. These are: Carson, El Segundo, Gardena, Hawthorne, Hermosa Beach, Inglewood, Lawndale, Manhattan Beach, and Redondo Beach. Pacific Gateway Workforce Investment Area is operated by the City of Long Beach and includes the Cities of Long Beach, Signal Hill, Lomita and Torrance.

The SBWIA currently encompasses a population of 523,793, which is 69.2 percent of the total population of 756,535 in the South Bay region of Los Angeles County. The

boundary changes will increase the current SBWIA population to a total of 691,527 or 91.4 percent of the total South Bay regional population.

The South Bay is a recognized sub-region of Los Angeles County. In general, the South Bay region reflects the Los Angeles County pattern of a largely service-oriented economy which accounts for almost three-quarters of all non-farm employment, and a government sector accounting for approximately 15 percent of all non-farm employment. Among the service industries, professional and technical services are the largest accounting for 14 percent of employment. These are followed by educational and health services providing jobs in a variety of professions such as legal, architectural, engineering, accounting, computer design, advertising, environmental consulting, commercial photography, veterinary services, and more. The third largest industry is administrative and support services, travel agents, security services, and employment services such as temporary employment.

While the economic profile of the SBWIA somewhat mirrors that of Los Angeles County, there are significant distinctions within the South Bay region, especially in the six industry sectors, which are prioritized in the South Bay Workforce Investment Board's Local Plan. The four priority sectors in the SBWIA are: construction; healthcare; manufacturing; and trade, transportation and utilities. Professional and technical services and entertainment also show promising growth in the region.

Development of Modification Request

1. Has the initiating local board provided signed support for the modification from the local board and designated local CEO?

Yes. The SBWIB met on October 16, 2014, and a motion was unanimously passed to approve the transfer of Torrance and Lomita to the SBWIA. On October 22, 2014, the Local Board Chair, Wayne Spencer, signed the Local Area Modification Request Signature Page. On October 23, 2014, James T. Butts, Jr., the Mayor of the City of Inglewood, signed the Local Area Modification Request as the designated CEO. The State received the appropriate signature page as required.

The transfer of Torrance and Lomita was presented at the City Council meetings of the nine cities included in the SBWIA. The vote was passed unanimously by each of the City Councils.

2. Have the local board and the local CEO designee for the other local areas whose boundaries will change submitted support for the modification?

Yes. The City Council of Lomita approved the motion on September 10, 2014 and on September 9, 2014 the City Council of Torrance also approved the motion to join the Southbay Workforce Investment Area. However, the Executive Director of Pacific Gateway, Nick Schultz, made public comments in opposition to the transfer of cities at both the Torrance City Council meeting on September 9, 2014, and the Lomita City Council meeting on September 10, 2014. An e-mail was also received by Jan Vogel, Executive Director of South Bay WIB, from Mr. Schultz on October 28, 2014, stating that the Chief Elected Official of Pacific Gateway is opposed to the SBWIB's Local Area Modification Application. The Executive Committee of the Pacific Gateway WIB met on November 18, 2014, and they voted to not support the transfer of the cities.

3. Has the public been notified of the request and allowed sufficient time for public comment?

Yes. The public comment process included a public notice in the Daily Breeze South Bay newspaper from October 1–20, 2014, and a public notice on the SBWIB website from October 8–20, 2014.

The South Bay Workforce Investment Board, and its Executive and Business and Economic Development Committees, held public meetings on April 17, September 10, and October 1, 2014, respectively. These meetings and the previously mentioned nine City Council meetings were properly noticed and allowed for public comment on this proposed Local Area modification.

During the comment period, letters in support of this modification request were provided by:

- Assemblymember Al Muratsuchi
- Congresswoman Maxine Waters
- Senator Ted Lieu
- South Bay Cities Council of Governments
- Lomita Chamber of Commerce
- South Bay Association of Chambers of Commerce
- Torrance Chamber of Commerce
- El Camino College
- Torrance Unified School District

- International Brotherhood of Electrical Workers, AFL-CIO (IBEW Local 11)
- Ironworkers Local Union 433
- Laborers International Union of North America Local 1309
- Painters & Allied Trades District Council 36
- South County Labor – Local Union 250, AFL-CIO
- United Association of Plumbing and Pipe Fitting industry Local 78

Analysis of Modification Request

1. Describe the resources available in each of the local areas to administer WIA activities.

South Bay's Workforce Investment Act formula allocation for Program Year (PY) 2014-15 is \$4,309,868. The funding streams are: Youth - \$1,461,268; Adult - \$1,490,437; and Dislocated Worker - \$1,358,163. Pacific Gateway's formula allocation for PY 2014-15 is \$5,555,220. The funding streams are: Youth - 2,044,449; Adult - \$1,899,417; Dislocated Worker – \$1,611,354.

It is estimated that approving the modification request will change the local area allocations by increasing South Bay's amount by 16.52 percent or \$711,985. Pacific Gateway will conversely lose 12.82 percent, or \$ 712,254.

If approved, the modification and realignment of cities should not adversely affect the local areas. While WIA funding is based on formulas for each fund source (Youth, Adult, and Dislocated Worker), it is also driven by each local jurisdiction's relative share of the State's allotment.

Historically, South Bay WIB secures supplemental funding for local and regional workforce development programs through competitive grants. In 2012, South Bay requested and received \$19 million in Additional Assistance funding from the State for the California Multi-Sector Workforce Partnership Project. This project includes 14 participating Workforce Investment Boards who served over 2,500 dislocated workers to date.

2. How will the boundary change help produce a more comprehensive and integrated workforce development system?

The boundary change will support a more regionalized approach in existing partnerships that builds stronger connections between job training programs and local employer needs .The Cities of Torrance and Lomita both indicated the South

Bay Workforce Investment Area is indigenous which allows for continuity with other cities in the South Bay and can assist the cities in meeting training and employment goals.

South Bay WIB provides leadership in the region to connect workforce and economic development efforts through Industry Sector Partnerships identified in manufacturing, health care, construction, trade, transportation and utilities, and media and entertainment. The SBWIB acts as an intermediary to convene, investigate, and report on the labor force needs of the sector to industry, education, and workforce agencies. Sector partnerships are underway for manufacturing and health care which established strong collaborative efforts among post-secondary institutions, economic development and workforce development systems, which helps ensure that workforce and labor market needs and requirements are well-aligned.

The SBWIB funds and oversees a number of training and employment programs, some of which are currently available to Torrance and Lomita residents through contractual providers. The boundary change will provide Torrance and Lomita residents with access to a more comprehensive, integrated service delivery system.

By combining eleven city local governments, the boundary change will increase regional coordination and collaboration. Both WIA and non-WIA resources will be leveraged with existing services and resources in these cities to support a more comprehensive and integrated workforce system.

3. Describe the geographic area served by local educational agencies and intermediate educational agencies within the modified boundaries.

Within the modified boundaries, there will be an increase in the number of local education agencies. There are currently fourteen public secondary schools in six K -12 school districts with 23,447 students in the SBWIA. The boundary change will add four high schools from Torrance Unified School District and one high school (Narbonne) in Los Angeles Unified School District/Local District 7, which serves Lomita, bringing the total to nineteen high schools with a student population of 31,920. The change will also add the Southern California Regional Occupation Center to SBWIA which provides services to high school students and adults throughout the South Bay region.

4. Identify the extent to which the service area affected by the boundary change is consistent with the local labor market.

The boundary change may unify the existing South Bay labor market area. According to the Los Angeles Economic Development Corporation, the Los Angeles Times, the Daily Breeze and Wikipedia Encyclopedia, the South Bay is a well-defined region of Los Angeles County comprised of inland and coastal communities and cities with a distinct regional economic profile. Thirty-seven percent of the country's aerospace workforce is located in the South Bay. The region is headquarters to some of the nation's leading aerospace companies including SpaceX in Hawthorne, the Aerospace Corporation in El Segundo, and Northrup Grumman Aerospace Systems in Redondo Beach, as well as key facilities for Raytheon, Lockheed Martin, Boeing, and a host of aerospace supply firms. El Segundo is home to Los Angeles Air Force Base whose Space and Missile Systems Center is responsible for creating much of the nation's global space platform and over 60,000 jobs in Los Angeles County. Two South Bay Cities worked collaboratively with the Base to resolve employee housing issues which helped retain the Base in the South Bay.

5. Identify the maximum distances that individuals will need to travel to receive services within the newly proposed service area.

According to SBWIB, accessibility will improve under the proposed boundary changes. The SBWIB will relocate the Beach Cities One-Stop Center which is currently located in Redondo Beach to the City of Torrance. This will provide direct, local access to services for residents and businesses in Torrance and the adjacent City of Lomita. The new location will offer greater access to public transportation and will be located within a 30-minute or less commute from the center of each of the cities served including El Segundo, Manhattan Beach, Hermosa Beach, Redondo Beach, Torrance, and Lomita. Targeted youth services will be made available in each city on school campuses, at community centers, and, as available, city-operated facilities such as the Torrance "ATTIC" Teen Center.

6. Will the modification improve the operations and services in the participating local areas?

The South Bay WIB is committed to building and maintaining a comprehensive workforce development system that is sector-focused, responsive to business, and fosters the development and delivery of training services along career pathways. These efforts should help bridge the gap between skills currently available in the workforce and the needs of the growing and emerging sectors in the local economy. Training and services should provide ample opportunity for all job seekers from all

backgrounds, including disconnected youth, persons with disabilities, and other special populations to access training in demand occupations. Training is linked to industry-recognized certifications that will enable job seekers to earn competitive wages and, through additional training and experience, to progress along a career path.

The South Bay WIB is currently preparing for the transition from the Workforce Investment Act to the Workforce Innovation and Opportunity Act (WIOA) of 2014, which commences operation on July 1, 2015. Their training and services strategies as a High Performing WIB will embrace the vision of WIOA which includes:

- Fostering regional collaboration to promote alignment of workforce development programs with regional economic development strategies;
 - Maintaining high quality and accessibility of services to job seekers and employers;
 - Utilizing effective strategies that provide services to employers around regional growth industry sectors;
 - Making key investments in serving disconnected youth and other vulnerable populations; and
 - Providing access to high quality training.
7. Will the modification provide greater accessibility to services for customers in the service areas affected by the change?

Yes. The SBWIB currently operates One-Stop Career Centers in four South Bay Cities within SBWIA including Inglewood, Gardena, Carson, and Redondo Beach. In the past five years, more than 1,200 Torrance and Lomita residents have accessed services through these One-Stop Centers. The boundary change will expand the capacity of the Beach Cities One-Stop Center by relocating to a larger, more centralized location in the City of Torrance. With this change, the cities served by this center will include Redondo Beach, Manhattan Beach, Hermosa Beach, Torrance and Lomita. These cities are geographically aligned for easier access by residents and businesses.

8. Will the modification better align workforce resources?

The boundary change will support a more regionalized approach with existing partnerships that build stronger connections between job training programs and local employer needs as required under WIOA. The key business and education partnerships affected by the change indicated their support in letters attached to

South Bay's modification request. The entities included the Lomita Chamber of Commerce, the Torrance Chamber of Commerce, the South Bay Cities Council of Governments (SBCCOG), El Camino College, Torrance Unified School District, the South Bay Association of Chambers of Commerce, and Local Labor Unions. The Cities of Torrance and Lomita indicated that joining the South Bay Workforce Investment Area allows for continuity with other cities in the South Bay and enhances their ability to meet employment and training goals.

9. Provide any other information that may be relevant to an objective assessment of the modification request.

The South Bay WIB has successfully operated employment and training programs for many years. In addition to the numerous Additional Assistance (Dislocated Worker) grants awarded, SBWIB has administered other employment and training grants and programs. These include:

- Multi-Sector National Emergency Grant: The \$17 million award is the largest grant awarded by the U.S. Department of Labor to a local WIB.
- GAIN Program, Vocational Training Intermediary: The SBWIB has operated the Greater Avenues for Independence (GAIN) Program Vocational Training Intermediary in partnership with Los Angeles County for more than 20 years serving thousands of participants annually.
- Blueprint I Skills for Workplace Success: This program is designed to equip youth and young adults with skills to enter and succeed in employment.
- Blueprint II: This program was recently developed by SBWIB as a web-based job readiness curriculum that provides job retention training to adult job seekers.
- Fit for Gold Tutoring & Fitness Academy: This program was established in 2003 in response to declining student test scores and increased cardiovascular disease and diabetes among children due to lack of exercise and poor nutrition.
- Teen Centers: These centers are operated in Hawthorne and Inglewood in collaboration with City government, education, and community partners.
- Centinela Youth Services: For more than 25 years, SBWIB administered Centinela Youth Services, a non-profit agency that provides mediation and conflict resolution services throughout Los Angeles County.

Action Requested

The full Board review and approve the proposed modification to ETPL Policies and Procedures. This action will allow training programs that primarily serve populations with significant barriers to employment additional time to comply with the 70 percent entered employment requirement. Local Boards will have to submit applications on behalf of training providers.

Background

The State Board's policy for the Eligible Training Provider List (ETPL) was published in Directive [WSD 13-10](#) on April 4, 2014. These new ETPL [Policies and Procedures](#) identify the minimum performance standards for postsecondary education providers offering training programs to WIA eligible adults and dislocated workers. To remain on the State's ETPL, private postsecondary providers must meet a 70 percent entered employment rate (placement rate) in training related occupations. It also outlines the roles and responsibilities of local boards and state agencies in administering the ETPL. Additionally, it stipulates that these training programs be valued by the employer community, linked to local/regional industry sectors that are being targeted by the local boards.

Since its publication in April 2014, some local boards and providers have expressed concern that the State's performance standards negatively impact their ability to offer training programs for clients that have significant barriers to employment, such as ex-offenders, migrant and seasonal farmworkers, those with educational barriers, and the long term unemployed. The waiver is limited in scope and is necessary to more closely align the current ETPL policy with the new provisions in the Workforce Innovation and Opportunity Act (WIOA), which allows for consideration of the characteristics of the population served and relevant economic conditions in developing the ETPL Policies.

The State Board's Executive Committee reviewed this document at its December 15, 2014 meeting and recommends approval by the full Board.

Policy Criteria

The ETPL policy is required by WIA Section 122 and the California Unemployment Insurance Code Section 14000-14530. These requirements are also included in the recently enacted WIOA. The ETPL policy was developed through a workgroup of the State Board's Issues and Policy Committee. It involved a public, transparent and deliberate process that included collaboration with and input from state and local stakeholders.

To address the concern raised, the proposed amendment would allow local boards to apply for, in limited circumstances, an initial eligibility waiver (and a single year of subsequent eligibility) on behalf of a private postsecondary training program that does not meet the minimum 70 percent entered employment rate performance standard. The minimum performance standard in these instances would be the State's negotiated placement rates of 54% in year one and 64.2 percent in year 2. The goal of the amendment is to allow the local board(s) to work with the training provider to improve their overall performance. If the performance does not improve the waiver will expire and the program will be removed from the ETPL.

Next Steps

The EDD has published the [ETPL Policy Amendment](#) for a 10-day public comment period. Input will be evaluated and, where warranted, included in the policy. Any waiver requests submitted under this amendment will be reviewed and approved by the State Board staff, and the associated program performance will be reviewed and monitored by the EDD.

DRAFT DIRECTIVE TRANSMITTAL
WORKFORCE SERVICES

Number: WSDD-110

Date: December 19, 2014

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: PROPOSED ETPL - INITIAL PROGRAM ELIGIBILITY WAIVER
PROCESS

IMMEDIATE ACTION

Bring this draft to the attention of the appropriate staff.

SUBJECT MATTER HIGHLIGHTS:

This draft directive publishes the proposed Eligible Training Provider List (ETPL) initial program eligibility waiver process and the limited situations in which these waivers may be requested.

Please review and comment on the attached draft directive.

COMMENTS ARE DUE BY:

01-02-15

Comments can be submitted through one of the following ways:

Fax	CWIB, Attention: Daniel X. Patterson at 916-657-1377
E-Mail	Daniel.Patterson@cwib.ca.gov (Include "draft comments" in the subject line)
Mail	CWIB / P.O. Box 826880 / MIC 45 / Sacramento, CA 94280-0001

All comments received by the end of the comment period will be considered before the final directive is issued. The Workforce Services Branch does not respond individually to each comment received. However, a summary of comments will be released with the final directive. **Comments received after the specified due date will not be considered.** If you have any questions, contact the California Workforce Investment Board (CWIB) at 916-657-1440.

DRAFT DIRECTIVE

WORKFORCE SERVICES

Number:

Date:

50:60:ST:17249

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: PROPOSED ETPL - INITIAL PROGRAM ELIGIBILITY WAIVER
PROCESS

EXECUTIVE SUMMARY:

Purpose:

This draft directive publishes the proposed Eligible Training Provider List (ETPL) initial program eligibility waiver process for Private Postsecondary Training Providers and the limited situations in which these waivers may be requested.

Scope:

This directive applies to all Local Workforce Investment Areas.

Effective Date:

This directive is effective on the day of issuance.

REFERENCES:

- Workforce Investment Act (WIA) Section 122
- Title 20 Code of Federal Regulations Section 663.500
- California Unemployment Insurance Code Section 14000-14530 "California Workforce Investment Act"
- Workforce Services Directive (WSD) WSD13-10 "Eligible Training Provider List Policy and Procedures"
- WSD14-2 "WIA Title 1B and W-PA State Level Performance Goals for PY 2014-15"
- Workforce Services Information Notice (WSIN) WSIN12-64 "Private Postsecondary Educational Entities Must Register with the Bureau of Private Postsecondary Education (BPPE)"

STATE-IMPOSED REQUIREMENTS:

This directive contains only state requirements.

The EDD is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities.

FILING INSTRUCTIONS:

Retain this directive until further notice.

BACKGROUND:

To be eligible to receive WIA funds to provide training services to adults and dislocated workers, programs must be listed on the ETPL (with the exception of certain types of customized, cohort, and on-the-job training). In order to be listed on the ETPL, training providers must submit an application to their local board via the CalJOBSSM web site. All new and existing training providers are required to register their institution and programs in [CalJOBSSM](#).

Prior to approving private postsecondary training providers to list programs on the ETPL, local boards shall ensure the provider has received an "Approval to Operate" from the BPPE. This information can be obtained on the BPPE website under the [Directory of Approved Institutions](#). Additionally, each program must meet the minimum performance standard referenced in [WSD13-10](#).

POLICY AND PROCEDURES:

In limited circumstances, local boards may request an initial eligibility approval waiver (and a single year of subsequent eligibility) of a private postsecondary training program that does not meet the minimum 70 percent entered employment (placement) rate performance standard. This option is necessary to closely align the current ETPL policy with the new provisions in the Workforce Innovation and Opportunity Act (WIOA), Section 122(b) which allows for consideration of the characteristics of the population served and relevant economic conditions. This additional waiver request process will be in effect until such time as the ETPL Directive WSD13-10 is updated to reflect the new requirements contained in the WIOA.

During the two year period of an approved waiver, the private postsecondary program must continue to meet all other requirements including:

- Obtain "Approval to Operate" from the BPPE.
- Submit annual performance reports.
- Provide training for occupations in demand in the local area.
- Award credentials/certificates that are valued by the local/regional employer community.

To seek limited waiver approval for these programs, the local board shall ensure that the program meets the above requirements in addition to meeting the minimum waiver performance levels below:

- Wagner-Peyser Act State Level Performance Goal for the first waiver year - currently an entered employment rate of 54 percent (released in [WSD14-2](#) for PY 2014-15).
- Workforce Investment Act State Level Adult Performance Goal for the second waiver year (subsequent eligibility) currently an entered employment rate of 64.2 percent (released in WSD14-2 for PY 2014-15).

Eligible Training Provider List PRIVATE POSTSECONDARY PROGRAM WAIVER REQUEST		
LOCAL WORKFORCE INVESTMENT BOARD INFORMATION		
Local Workforce Investment Board:		
Contact Name, Title:		
Contact Phone Number:		
TRAINING PROVIDER/PROGRAM INFORMATION		
Name of Private Postsecondary Training Provider:		
Provider Address:		
City:	State:	ZIP Code:
Title of Training Program:		
Current Placement Rate:	First Year of Waiver: Y/N	Second Year of Waiver: Y/N
Justification for the Waiver Request:		
<p>I hereby make the following assurances as part of this request:</p> <ul style="list-style-type: none"> • The above provider and program is registered by the Bureau of Private Postsecondary Education and has received Approval to Operate. • Inclusion of the program on the ETPL will be for the purposes of providing training to individuals with a barrier(s) to employment as defined in the Workforce Innovation and Opportunity Act, Section 3 (24). • Completion of the training program results in the awarding of industry-recognized credential, national or state certificate, or degree, including all industry appropriate competencies, licensing and/or certification requirements. • The training program is identified as a demand occupation in our local plans and has a history of serving clients with barriers to employment. <p>I request the above training program to be included on the Eligible Training Provider List.</p>		
Signature		Date
<p>Submit Waiver Request to: CWIB/MIC45, P.O. Box 826880, Sacramento, CA 94280-0001 or Daniel.Patterson@cwib.ca.gov</p>		
CWIB USE		
Approving Signature		Date

Item 4. Updates & Discussion

- a. [Governor's 2015-16 Budget Summary](#)
 - I. Investing in California's Workforce: pages 47-51
- b. Workforce Innovation and Opportunity Act Activities

Item 5. Other Business