



Unified Strategic Workforce Development Plan

Program Specific Requirements for Title I Programs

2020-2023

IN FULFILLMENT OF THE REQUIREMENTS OF THE
WORKFORCE INNOVATION AND OPPORTUNITY ACT
PUBLIC LAW 113-128

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Program Specific Requirements for Title I Programs

Regions and Local Workforce Development Areas

Below is a list of California's 45 Local Workforce Development Areas (Local Areas) / Local Workforce Development Boards (Local Boards) and the 14 Regional Planning Units (RPU) they fall under.

Bay Peninsula RPU

- North Valley Job Training Consortium (NOVA)
- San Benito County Workforce Development Board
- San Francisco County Workforce Development Board
- San Jose-Silicon Valley (work2future)

Capital RPU

- Golden Sierra Workforce Development Board
- North Central Counties Consortium
- Sacramento Employment and Training Agency
- Yolo County Workforce Development Board

Coastal RPU

- Santa Cruz County Workforce Development Board
- Workforce Development Board of Santa Barbara County
- Workforce Development Board of San Luis Obispo County
- Monterey County Workforce Development Board

East Bay RPU

- Alameda County Workforce Development Board
- Oakland Workforce Development Board
- Workforce Development Board of Contra Costa County
- Richmond Workforce Development Board

Inland Empire RPU

- Riverside County Workforce Development Board
- San Bernardino County Workforce Development Board

Los Angeles Basin RPU

- Foothill Workforce Development Board
- Pacific Gateway Workforce Development Board
- City of Los Angeles Workforce Development Board
- Los Angeles County Workforce Development Board
- Southeast Los Angeles County Workforce Development Board (SELACO)
- South Bay Workforce Investment Board

- Verdugo Workforce Development Board

Middle Sierra RPU

- Mother Lode Workforce Development Board

North Bay RPU

- Workforce Development Board of Solano County
- Sonoma County Workforce Investment Board
- Workforce Alliance of the North Bay

North Coast RPU

- Workforce Development Board of Humboldt County

North State RPU

- Northern Rural Training and Employment Consortium Workforce Development Board (NoRTEC)

Orange RPU

- Anaheim Workforce Development Board
- Orange County Workforce Development Board
- Santa Ana Workforce Development Board

San Joaquin Valley RPU

- Fresno Regional Workforce Development Board
- Workforce Development Board of Kern, Inyo, & Mono
- Kings County Workforce Development Area
- Workforce Development Board of Madera County
- Merced County Workforce Development Board
- Workforce Development Board of San Joaquin County
- Stanislaus County Workforce Development Board
- Workforce Investment Board of Tulare County

Southern Border RPU

- Imperial County Workforce Development Board
- San Diego Workforce Partnership

Ventura RPU

- Ventura County Workforce Development Board

Local Area Designation

As outlined in [Workforce Services Directive WSD18-14](#), the Governor is required to approve a request for subsequent designation from a Local Area, if the Local Area performed successfully, sustained fiscal integrity, and engaged in the regional planning process. The State provided definitions of the required criteria and established an application process for Local Areas to obtain subsequent designation for Program Years (PY) 2019-20 and PY 2020-21.

Definitions

Performed Successfully

For the purposes of subsequent designation for PY 2019-20 and PY 2020-21, performed successfully is defined as a Local Area that has successfully negotiated PY 2018-19 and PY 2019-20 performance goals within their designated RPU.

For any subsequent designation and recertification request received from a Local Area after PY 2020-21, that Local Area's WIOA Title I Adult, Dislocated Worker, and Youth performance goals must be successfully negotiated within their RPU and must meet or exceed negotiated performance for the two previous program years.

Sustained Fiscal Integrity

The Local Area has not been found in violation of one or more of the following during PY 2016-17 or PY 2017-18: Issues of fiscal integrity or misexpended funds due to the willful disregard of or failure to comply with any WIOA requirement, such as failure to grant priority of service or verify participant eligibility, as identified in final determination of significant finding(s) from audits, evaluations, or other reviews conducted by state or local governmental agencies or the DOL. Gross Negligence, which is defined as a conscious and voluntary disregard for the need to use reasonable care, which is likely to cause foreseeable grave injury or harm to persons, property, or both.

Engaged in Regional Planning

For the purposes of subsequent designation for PY 2019-20 and PY 2020-21, engaged in regional planning is defined as participating in, and having contributed to, regional planning and regional plan implementation (for example, participating in regional planning meetings, leading regional plan implementation efforts, and review and approval of regional plan and modifications by Local Boards and local Chief Elected Officials), and participating in regional performance negotiations.

Application Process

Local Areas had to complete and submit one of the following two applications to the California Workforce Development Board:

- Existing Local Area - Application for Subsequent Local Area Designation and Local Board Certification Program Year 2019-21
- Modified Local Areas for Local Areas that are requesting Local Area modification as part of their subsequent designation, complete "Modified Local Area - Application for Subsequent Local

Area Designation and Local Board Certification Program Year 2019-21

The CWDB, in coordination with the Employment Development Department (EDD), verified the information provided and determined whether to recommend approval, conditional approval, or denial of the subsequent application to the Secretary of Labor and Workforce Development.

Process for Identifying Regions and Planning Units

As part of WIOA implementation and development of the 2016-2019 California Unified Strategic Workforce Development Plan (State Plan), the CWDB issued [Workforce Services Directive WSD15-17](#) which outlined the current 14 RPUs.

Local Board placement in the 14 RPUs was based primarily on the location of WIOA client populations and the way these populations fit into regional economies as defined by economic data including commute patterns, industry composition, labor markets, geographic location, and transportation infrastructure. Boundaries of the RPUs were largely set by giving weight to the foregoing economic data and by starting with regional economic market boundaries drawn by the EDD Labor Market Information Division (LMID). These regional economic market boundaries were then modified to take into account the number of Local Areas in a region, the size of the area covered, and the boundaries and planning regions of existing regional workforce consortia.

As part of the development of the updated State Plan, the CWDB is revisiting the existing RPU framework to identify if adjustments should be made based on economic or demographic changes that have occurred in the period since the 14 RPUs were first identified. To assist in this process, the EDD-LMID conducted an updated analysis that incorporates the most recent commute pattern data from the U.S. Census Bureau's American Community Survey and the most recent industry employment data from EDD-LMID.

On the basis of this analysis, the CWDB released [Workforce Services Draft Directive WSDD-209](#) on February 13, 2020, proposing potential changes. Local Boards were encouraged to provide input and feedback through the public comment process. In order to preserve the statutory intent that RPUs represent existing economic market regions, the language of the draft directive required that any requested modifications other than those outlined in the draft directive itself bear the burden of presenting a compelling, data-based rationale for the proposed change.

Unfortunately, the public comment period coincided with California's rapid onset of the COVID-19 global health pandemic and Local Boards had to redirect their time and resources to providing critical services to their communities. In alignment with WIOA Section 101, CWDB wants to ensure that ample time is provided for local input and consultation on the proposed RPU updates and therefore will be continuing discussions with Local Boards over the next few months prior to finalizing any changes or moves.

Appeals Process

In accordance with WIOA Section 106, a unit of local government (or a combination of units) which has requested and been denied subsequent designation as a Local Area may appeal the decision and request a hearing.

As outlined in [Workforce Services Directive WSD18-14](#), an appeal and request for hearing must be mailed to the CWDB within 20 calendar days from the mailing date of the notice of denial of initial designation. The appeal must 1) be in writing and state the grounds for the appeal, and 2) state the reasons why the appellant should be designated. The CWDB will contact the appellant to schedule a hearing date within five calendar days of the receipt of the appeal. The CWDB will conduct the appeal hearing process and provide a written decision to the appellant no later than five calendar days after the hearing.

If a unit or combination of units of general government's appeal to the CWDB did not result in designation as a Local Area, they may also appeal the denial to the DOL by following the process outlined under Title 20 Code of Federal Regulations Section 683.640.

As outlined in [Workforce Services Directive WSD18-12](#), if a Local Area is unable to reach agreement regarding joint infrastructure costs with any of their America's Job Centers of CaliforniaSM (AJCC) partners, they must notify the State annually by April 1 to trigger the State Funding Mechanism (SFM). Once the notification has been received, the CWDB will initiate a process to determine each AJCC partner's contributions to infrastructure costs in the Local Area for that program year under the SFM. The process will include all appropriate state level authorities to enact the SFM.

All AJCC partner programs and/or the Local Board may appeal the SFM decision. Appeals must include justification by the program and/or Local Board and be based on believed noncompliance with WIOA Section 121(h)(3) that outlines the Governor's funding allocations. All appeals must be submitted to EDD no later than 30 days after receiving the SFM decision. The state will respond to the appeal no later than June 30 of that year.

Statewide Activities

California uses WIOA statewide funds to develop and fund innovative and dynamic initiatives that pilot new service delivery strategies and target specific populations throughout the state. These initiatives are aligned with the mission and direction of WIOA by assisting job seekers, especially job seekers with barriers to employment, with access to employment, education, training, and support services they need to succeed in the labor market while also matching employers with the skilled workers they need to compete in the global economy.

Below are high level summaries of California’s key initiatives.

Workforce Accelerator Fund

The Workforce Accelerator Fund (WAF) awards funds to design, develop, and implement projects that accelerate employment and reemployment strategies for California job seekers. These projects create and prototype innovative strategies that bridge education and workforce gaps for targeted populations, and implement promising models and practices in workforce system service delivery infrastructure.

The WAF fosters regional coordination among key partners and promotes relationships with new partners, leading to enhanced resources and augmentation of existing services strategies. By working with similar or established programs, organizations are better equipped to anticipate complications and can instead focus on methods and success. Organizations participating in Accelerator also improve their working relationship with stakeholders.

The WAF also recognizes that strong relationships with employers are necessary to create pathways to gainful, long-term employment for participants. Collaboration with industry leads to well-crafted trainings and jobs for participants with employers who value them. As a result, service providers receive high-quality job placements because there is a mutual benefit to employers.

The primary goals of the WAF include:

- Improve labor market and skills outcomes for target groups through the development of strategies that fill gaps, accelerate processes, or customize services to ensure greater access to workforce services and employment opportunities.
- Create new models for service delivery and funding alignment that can be replicated across the State and tailored to regional needs.
- Implement, replicate, and scale successful innovations that emerged from previous WAF projects.
- Leverage state investments with commitments from industry, labor, public, and community partners.

Regional Implementation Grants

Regional Plan Implementation (RPI) grants provided funds to California’s 14 RPUs to support efforts to implement the priority goals of the regional plans and build off the lessons learned from the SlingShot initiative. These awards will help ensure more people have access to training, good jobs and economic security, and achieve greater intergenerational income mobility.

The following are outcomes the State hopes to achieve through the RPI grants:

- Demand Driven Skills Attainment:
 - RPU has developed a team that jointly convenes industry and is led by industry champions.
 - RPU has shared industry sector focus and pools/shares resources to meet demand in the region.
 - RPU has a process to communicate industry workforce needs to supply-side partners.
 - RPU has policies supporting equity and strives to improve job quality.
- Upward Mobility and Equity for Individuals with Barriers to Employment Outcomes:
 - RPU has shared target populations of emphasis.
 - RPU deploys shared/pooled resources to provide services, training, and education to meet target population needs.
 - RPU utilizes shared/common case management and capacity building strategies such as co-enrollment and professional development to develop shared responsibility for providing services and ensure quality outcomes.
- System Alignment Outcomes:
 - RPU has shared/pooled administrative systems or processes to achieve administrative efficiencies and program outcomes.
 - RPU has created formalized structures for decision-making.
 - RPU has developed a process for evaluating performance that includes:
 - Qualitatively evaluating progress towards meeting regional industry and occupational demand;
 - Tracking the number of industry-recognized credentials and apprenticeships;
 - Aligning negotiated performance measures to regional indices

Workforce Navigator Pilot Program - ELL and Immigrant Workers

California made funds available to develop and implement a Workforce Navigator Pilot Program targeting English Language Learners (ELL) and immigrant workers. The goal of the initiative is to promote increased access, create/enhance program structure and availability, and provide supportive services within the workforce system for California’s ELL Population. Grantees are expected to work in collaboration with community based organizations (CBOs) and other workforce partners, including adult education entities.

Specific goals of the pilots include: implementing a workforce navigator model; enhance/establish collaboration with CBOs and other partners to provide supportive wraparound services; support dual enrollment in WIOA Title I and Title II programs; and create “no wrong door” access to services.

High Road Training Partnerships Initiative

The High Road Training Partnership Initiative (H RTP) supports eight demonstration projects — ranging from transportation to health care to hospitality — that model a sector approach that addresses critical issues of equity, job quality, and environmental sustainability. H RTPs are industry-based, worker-focused training partnerships that build skills for California’s high road employers—firms that

compete based on quality of product and service achieved through innovation and investment in human capital and can thus generate family-supporting jobs where workers have agency and voice.

Along with these program investments, the CWDB works with California Labor Federation, University of California (UC) Berkeley Labor Center, and UCLA Labor Center to support, advance, and institutionalize these model partnerships. Through these partnerships, California is producing a body of policy, principles, and practice, defining the high road strategy for the state. UCLA has crafted eight project overviews describing each partnership model and highlighting impact and transformation within each industry. They are currently developing a formal H RTP evaluation, assessing partnership successes and challenges along with identifying opportunities to transform California's workforce development system. UC Berkeley is responsible for developing essential elements and best practices for sector partnerships that start with the jobs along with guidelines for workforce stakeholders to more directly attend to supply and demand in the labor market.

California started to integrate this high road approach across other workforce initiatives and will invest in further partnerships starting in 2020. California is committed to delivering on the initial purpose of this initiative: to advance and document a field of practice that simultaneously addresses urgent questions of socioeconomic mobility, economic competitiveness, and climate change through regional skills strategies designed to support economically and environmentally resilient communities across the state.

Set-Aside and Rapid Response Funds

California reserves 25 percent of its Title I Dislocated Worker funding to carry out statewide Rapid Response activities. Of that 25 percent, California chooses to allocate 50 percent directly to Local Areas and hold the other 50 percent at the state level for future Additional Assistance requests.

Rapid Response and Lay-Off Aversion

As outlined in [Workforce Services Directive WSD16-04](#), one half of California's 25 percent Rapid Response set-aside funds are allocated directly to Local Areas to support them in enabling affected workers to return to work as quickly as possible following a layoff, or to prevent layoffs altogether. To accomplish this, the workforce development system must be coordinated, comprehensive, and proactive in communicating with business.

This includes providing labor market and workforce information, integrating industry requirements into training strategies and career pathways, brokering relationships and job connections, making services efficient and easy to access, and coordinating with regional partners to reduce duplication. Rapid Response also tracks labor market trends, increased Unemployment Insurance claims, public announcements through the California Worker Adjustment and Retraining Notification Act notices, and analyzes economic data to assess the health of businesses.

Rapid Respond funds are allocated to Local Areas using a three-part formula:

1. Baseline funding - This funding is allocated equally among Local Areas to ensure, at a minimum, that some capacity exists in each Local Area for the coordination and conduct of Rapid Response activities. Allocations to Local Areas comprised of more than one county will include an additional allocation of \$50,000 for each additional county. Of the Rapid Response set-aside funds, 30 percent are reserved for this baseline funding.
2. Layoff-based funding - This funding is for Local Areas that serve regions where significant numbers of dislocation events occur. This allocation will be based on quantitative layoff data. Funds will be allocated to Local Areas in proportion to the number of affected workers offered Rapid Response services in response to layoffs reported to the state. This methodology ensures services are provided to assist groups of workers affected by mass layoffs, permanent business closures, and natural or other disasters. Of the Rapid Response set-aside funds, 45 percent are reserved for this layoff-based funding.
3. Hold-Harmless funding - This funding minimizes funding losses from year-to-year. A portion of the Rapid Response set-aside funds will be used to ensure that no Local Area receives less than 75 percent of their prior-year share of statewide funds distributed for baseline and layoff based activities. This policy also limits any Local Area's year-over funding increase to 100 percent of their prior-year allocation.

Layoff Aversion funds are also distributed to Local Areas based on the Local Area's relative share of the Rapid Response formula allocations referenced above.

Additional Assistance

As outlined in [Workforce Service Directive WSD16-15](#), the other half of California's Rapid Response set-aside funds are kept at the state level as Additional Assistance funds. These funds are made available to Local Areas that experience sudden and large increases of unemployment due to natural disasters, mass layoffs, or other events.

The purpose of the Additional Assistance is to supplement and expand local capability to respond effectively to worker dislocation events by funding direct services to dislocated workers when local resources are inadequate. Ideally, projects should be funded from multiple sources and involve multiple WIOA mandated partners. Additional Assistance funds should be used to serve the additional dislocated workers as well as allow a higher quality of services and outcomes to be achieved. The funding request must demonstrate that existing local resources (WIOA or others) are inadequate to address the needs of the affected workers seeking services.

There are three different methods for requesting Additional Assistance funding:

1. Standard Application – This application petitions the state for additional funds to respond to unanticipated dislocated worker events that exceed the capacity of the existing Local Area's formula funds to provide the needed resources.

2. Emergency Application – This application provides the applicant with initial bridge-funding to begin the provision of services to dislocated workers from a mass layoff or natural disaster. To qualify for a natural-disaster classification, the event(s) must be declared eligible for assistance by the Federal Emergency Management Agency or other responding federal agencies.
3. Project Modification Application – This application seeks to alter a current Additional Assistance project due to a substantial change in the scope of the originally-funded work.

In cases of natural disasters, the State’s response efforts are coordinated by the California’s Office of Emergency Services (CalOES). The CalOES coordinates the overall state response to disasters with local, state, federal, and voluntary/nonprofit partners to administer recovery operations in the event of a disaster.

To further disaster response coordination within the workforce system, Assembly Bill (AB) 2915 (Chapter 722, Statutes of 2018) required the CWDB, in conjunction with EDD and local partners, to establish a policy regarding emergency cooperation agreements between Local Boards. To implement the legislation, CWDB convened a workgroup comprised of representatives from: CalOES, EDD, California Workforce Association, and Local Boards.

The workgroup established a multi-pronged approach for implementation:

1. Publish an Information Notice to share strategies for enhanced coordination with CalOES’ Local Emergency Management Contacts.
2. Issue a directive that provides information on allowable activities for the various funding streams utilized by Local Boards when responding to a natural disaster.

[Workforce Services Information Notice 19-10](#) was published in October 2019 and the directive is still under development with a final deadline of July 2020.

Additionally, if an event is declared a disaster by FEMA, California utilizes Rapid Response funding to conduct initial situation assessment to obtain preliminary data to draft a National Dislocated Worker Grant (NDWG) application. Using the initial Rapid Response assessment data, the State works with the affected Local Board(s) to develop an immediate response, including providing ‘stop gap’ funding through 25 percent Additional Assistance for mitigation activities pending DOL approval of a NDWG.

Trade Adjustment Assistance

The State recognizes the need to enhance its early intervention efforts to groups of workers on whose behalf a TAA petition has been filed. To ensure these efforts are achieved and that Rapid Response activities and appropriate career services are offered to those individuals, the State will continue to work collaboratively with its existing Workforce Development Area (Local Area) partners, and establish new relationships with various workforce development entities. To establish those relationships and strengthen its existing partnerships, the TAA State Coordinator will actively engage with the Local Area staff and other workforce partners, such as union affiliates, to increase TAA visibility and define a streamlined process for information sharing. In addition, TAA staff will attend all Rapid Response

regional roundtables to share information regarding recently filed petitions, to learn of employers conducting layoffs, and to hear from the Local Area and other workforce partners if they've filed petitions on behalf of a worker group. The State established a statewide TAA Field Division Coordinator position to provide technical assistance to the Local Areas and to participate in the roundtables.

A well-established relationship between the State and the Local Area will ensure that when a petition is filed the Rapid Response Coordinators will coordinate Rapid Response orientations to ensure all applicable partners, including State TAA Staff, and required Rapid Response materials are available at each orientation. The State issued [Workforce Services Directive 14-15](#) on WIOA and TAA co-enrollment policy and procedures to ensure that Rapid Response staff understand and provide all potential trade-affected workers with required TAA program information. A TAA Co-enrollment Technical Assistance Guide (TAG) is also available and provides program eligibility and determination guidance, promotes cooperative partnerships, and maximizes resources to support co-enrollment of applicants for TAA and WIOA programs. The TAG highlights Rapid Response as a critical access point for co-enrollment.

Pending a petition determination the State staff will begin to provide core services through the America's Job Center of California (AJCC) network, and will conduct a preliminary needs and skills assessment for the impacted worker(s). Upon a petition determination the State notifies all workers identified on the worker list by mailing a TAA Group Eligibility Notification Letter directly to each impacted worker. The letter clarifies program deadline dates, and provides access information to additional program guidance. The letter also notifies workers of benefits and services that are potentially available to assist them in their transition back to the workforce. The early intervention efforts provided to the worker prior to the petition certification will potentially minimize the weeks someone is unemployed by enrolling the adversely affected worker into TAA-approved training in a timely manner.

Adult and Dislocated Worker Program Requirements

Work-Based Training Models

Using WIOA funds, California has invested over \$8.8 million to design, develop, implement, and advance the High Road Training Partnerships (H RTP) initiative which consists of eight demonstration projects that model a sector approach to address critical issues of equity, job quality, and environmental sustainability. Five of the eight projects utilize pre-apprenticeships and apprenticeships in various roles and capacities.

Using state funds, California currently has \$14 million available for the High Road Construction Career (HRCC) initiative which is a statewide industry sector strategy to expand, develop, and support a single HRCC pre-apprenticeship partnership in each region of California. The goal is to establish 12 regional pre-apprenticeship partnerships that systematically connect disadvantaged workers and communities to long-term middle-class careers through state-approved apprenticeship.

Also using state funds from a special employer payroll tax, the Employment Training Panel supports the utilization of incumbent worker training as a means to enable labor retention and ensure workers have

access to employer valued training programs to further their careers along the continuum of their career pathways.

California also provides technical assistance to Local Boards to support their usage of those models at a local level. For example, the State issued [Workforce Services Directive 19-01](#) which provides guidance on using Incumbent Worker Training as part of comprehensive regional sector pathway programs and strategies for developing a skilled workforce and income mobility.

Registered Apprenticeship

According to California law, when Local Boards provide apprenticeship or pre apprenticeship related services using WIOA funds, they must coordinate with the apprenticeship programs in their Local Area that have been formally accredited by the Department of Industrial Relations Division of Apprenticeship Standards.

As part of California's efforts to better align federal and state workforce programs, the State will be working to coordinate the provision of apprenticeship services with workforce and training services. This could include the co-location of apprenticeship staff in career centers, where appropriate. While discussions on how best to achieve this coordination are still underway, it is anticipated that operational details will become clearer with further stakeholder engagement.

Training Provider Eligibility Procedure

In order to be listed on California's Eligible Training Provider List (ETPL), training providers must submit an application through the CalJOBSSM website to a Local Workforce Development Board (Local Board) to offer training programs to WIOA program participants.

Training providers, except for registered apprenticeship programs, must meet initial eligibility requirements to be on the ETPL. The initial eligibility criteria includes the following:

- Program must meet the minimum performance expectations based on the type of provider.
 - Private Postsecondary Education Institutions: These programs must meet the Entered Employment (placement) Rate performance standard established by the California Workforce Development Board (CWDB).
 - Apprenticeship Programs: These programs are not required to meet a minimum performance expectation.
 - California Community Colleges, University of California, and California State Institutions: These programs are not required to meet a minimum performance expectation.
 - Adult Education Programs: These programs must meet the minimum performance criteria established by the CWDB.
- Training must be for occupations in in-demand industry sectors identified in the state, regional or local plans. Training 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.

- Apprenticeship programs registered under the National Apprenticeship Act or recognized by Division of Industrial Relations Division of Apprenticeship Standards are exempt from initial eligibility procedures. Registered apprenticeship programs must be included and maintained on the list of eligible providers of training services as long as the corresponding program remains registered, as described at WIOA Section 122(a)(3).
- Providers must provide the approving Local Board with verifiable program, including the following:
 - Description of each program of training services to be offered.
 - Information addressing performance (employment, earnings, credential attainment).
 - Description of partnership with business (incorporating input from local/regional business advisory groups, role of business in developing curriculum, providing work based learning, and/or hiring graduates).
 - Demonstrate high quality training services, including a program of training services that leads to a recognized postsecondary credential or entry into an approved apprenticeship program.
 - Provide information that addresses alignment of the training services with in-demand industry sectors and occupations.
 - Cost information for the program.
- Providers must meet one of the following approval or accreditation criteria to have their programs listed on the ETPL:
 - An Approval to Operate from the Bureau of Private Postsecondary Education (BPPE), or Verification of Exemption by BPPE.
 - An accreditation by the Accrediting Commission for Senior Colleges and Universities, Western Association of Schools and Colleges (WASC), or the Accrediting Commission for Community and Junior Colleges, CSU, UC, and other WASC accredited institutions.
 - Postsecondary institutions eligible under Title IV of the Higher Education Act that offer programs leading toward an associate degree, baccalaureate degree, or certificate.

If the training program does not meet the requirements of initial eligibility, the program’s application will be denied, and the provider will be notified.

All programs on the ETPL, with the exception of apprenticeship programs, will be evaluated annually to ensure they continue to meet eligibility to be retained on the ETPL beyond the one-year period of initial eligibility. The subsequent eligibility review process is based on the following:

- Program continues to meet initial eligibility requirements.
- Program must meet the minimum performance expectations based on the type of provider:

- Private Postsecondary Education Institutions: Entered Employment (placement) Rate equal to or above the performance standard established by the CWDB.
- Apprenticeship Programs: These programs are not required to meet a minimum performance expectation.
- California Community Colleges, University of California, and California State Institutions: Program completion rates should be obtained by the approving Local Board and posted in the performance area for each program in CalJOBSSM. However, these programs are not required to meet a minimum performance expectation.
- Adult Education: Employment rate equal to or above the performance standard established by the CWDB for all WIOA participants reported using CalJOBSSM.

Considerations for Subsequent Eligibility for Small Cohorts: When the number of WIOA participants is less than ten WIOA participants during any program year, subsequent eligibility will be based on a two year program cycle.

If the training program does not meet the requirements of subsequent eligibility, the program must be removed from the ETPL, and the provider notified of the removal.

For a more detailed explanation of California ETPL policy, please see [Workforce Services Directive WSD15-07](#).

Implementing and Monitoring Priority of Service

As outlined in [Workforce Services Directive WSD15-14](#), Local Boards must provide priority of service to recipients of public assistance, other low-income individuals, or individuals who are basic skills deficient when providing individualized career services and training services funded with WIOA adult funds.

Local Boards were required to implement the priority of service requirements beginning July 1, 2015, and to have a local policy and procedures for priority of service in place by January 1, 2016.

Veterans and eligible spouses are also able to receive priority of service among all eligible individuals; however, they must meet the WIOA adult program eligibility criteria and meet the criteria under WIOA Section 134(c)(3)(E). Therefore, priority must be provided in the following order:

1. Veterans and eligible spouses who are also recipients of public assistance, other low income individuals, or individuals who are basic skills deficient.
2. Individuals who are the recipient of public assistance, other low income individuals, or individuals who are basic skills deficient.
3. Veterans and eligible spouses who are not included in WIOA's priority groups.
4. Other individuals not included in WIOA's priority groups.

Local Boards are allowed to establish additional priority groups for their Local Area (e.g., residents of

the Local Area, individuals with disabilities, formerly incarcerated and justice-involved, etc.). However, any additional priority groups established should be identified in the local policy.

The directive contains definitions of public assistance, low income, and basic skills deficient as well as all individualized career and training services. It also contains a chart of source documents that Local Boards can use to verify a participant's eligibility for priority of service.

The EDD Policy and Compliance Accountability Branch is responsible for conducting annual sub recipient monitoring to ensure that they are in compliance with WIOA eligibility requirements, including priority of service.

Transfer of Funds Criteria

As outlined in [Workforce Services Directive WSD15-23](#), transfer of funds requests can be submitted any time during the two-year life of the program funds, however transferred funds must stay within the original year of allocation and time period (i.e., July 1, first allocation funds, or October 1, second allocation funds).

- Local Areas must submit transfer requests in writing to the EDD. The transfer request must include the reason and/or rationale for the transfer, and be approved by the Local Board. Considerations for review and approval by EDD include the following:
- Changes in planned services to eligible participants.
- Unexpected layoffs requiring additional funds.
- Changes in the goals for serving eligible participants.
- Changes in labor market conditions.
- Effect of training on jointly funded employment and training programs in the AJCC.
- Effect on existing agreements for the delivery and/or coordination of employment and training services.
- Effect on current state and Local Area employment and training systems.
- Effect on the employment and training needs of eligible participants in the Local Area.

To the extent that a Local Area requests to transfer its entire allocation of dislocated worker funds to the adult program, the Local Area must be aware of the following implications pertaining to the transfer:

- The EDD will not consider Local Area requests for funding from Rapid Response Additional Assistance funds to mitigate the loss of dislocated worker funds resulting from the transfer.
- All transfers of funds are subject to the WIOA adult program priority of service requirement.

Youth Program Requirements

California seeks to invest WIOA youth funds in programs that employ best practices and incorporate concepts of youth development in order to meet the diverse needs of youth and young adults through integrated wrap-around services, with a particular focus on employment and post-secondary outcomes.

To accomplish this, Local Boards should select youth service providers that:

- Employ proven recruitment strategies of effective outreach, engagement, enrollment, and retention of out-of-school youth.
- Demonstrate meaningful partnerships with eligible training providers, institutions of higher education, and employers from in-demand industries
- Offer a continuum of services that allow participants to obtain a GED/High School diploma, enroll into post-secondary education, and obtain employment within their chosen career path.
- Utilize career pathways and sector strategy models with a structured sequence of activities, as well as multiple entry and exit points that provide adequate supportive services.
- Use structured work-based learning, such as paid and unpaid work experiences and career exploration that leads to gainful employment.
- Provide intensive case management and support services to help youth overcome complex barriers, successfully complete the program, and retain employment.

Successful performance is a priority as it helps to measure the effectiveness of a local program. Local Board selection of youth providers requires an assessment of the provider's ability to meet participant and performance requirements set forth by the local administrative entity and the State.

Local Boards should assess the provider's:

- Experience managing contracts, performance records, and administrative structure, including records and retention, compliance and monitoring, internal audit procedures, and data management system.
- Ability to meet reporting deadlines.
- Planned performance and ability to track outcomes.
- Frequency of training and technical assistance provided on the performance indicators to ensure compliance with federal and state requirements.

Out-of-School Youth

From a programmatic standpoint, California has prioritized investments in serving disconnected and out of school youth at the local level by identifying them as a target population for many of the federally and state funded grant programs. Below are a few examples of youth projects that were awarded funds.

The following are projects supported by the Workforce Accelerator Fund:

- A project that combines early work experience through employment with local professional sports arenas/stadiums, essential skills training, and connection to ongoing employment for disconnected youth. The project will also create a roadmap of opportunity for youth to follow when exploring, enrolling in, completing a community college program, and transitioning into the workforce.
- A project that leverages partnerships with the Local Conservation Corps, Community College, and U.S. Forest Services. The project will enroll youth in forestry and related field training and upon completion of training; youth will be placed in unsubsidized jobs, advanced training, or enrolled in post-secondary education.

The following are projects supported by the Breaking Barriers to Employment Initiative:

- A project that provides a two-part, six month internship for youth experiencing homelessness. The project will address the educational and professional opportunity gap for youth experiencing homelessness by providing youth with the tools and resources necessary for meeting their educational and professional goals.
- A project that assesses and enrolls disconnected youth, foster youth, and other target populations into programs that provide work experience. The participants without a GED or high school diploma will be enrolled into one of the Youth Build high schools.

Ongoing discussions with core and required program partners have shown that improving access and quality of services provided to out of school youth facing significant barriers is a shared priority. The State is looking into ways to increase capacity for cross agency collaboration and alignment of youth policy at the state level in order to improve youth service delivery at the local level.

Program elements

As outlined in [Workforce Services Directive WSD17-07](#), Local Boards must ensure that all 14 program elements are available in their Local Area. However, Local Boards are not required to provide the 14 required elements to each youth participant; they have the flexibility to determine what specific services a youth will receive based upon the youth's assessment and service strategy.

Local Boards must competitively procure high quality youth service providers that develop and implement effective youth programs by aligning career pathways, employment, training, education, and supportive services. Aligning strategic partnerships, communication, coordination, and collaboration among employers, educational partners, economic development entities, and service providers is the foundation of the ensuring access to all program elements.

The WIOA youth work experience expenditure requirement aligns with California's ongoing support and utilization of "earn and learn" models such as work experience, pre-apprenticeship, registered apprenticeship, on-the-job training, and internships where participants can receive concurrent academic and occupational education, job readiness training, and employment skills. Work experience

is an investment to build the foundation for career exploration and guidance, support for educational attainment, provide opportunities for skills training in in-demand industries that results in good job or enrollment in post-secondary education.

Definition and eligibility for “requires additional assistance”

As outlined in [Workforce Services Directive WSD17-07](#), Local Boards must establish a local definition and eligibility documentation requirements for the “requires additional assistance” criterion to determine eligibility for OS youth and IS youth. This definition must be included in the Local Plan.

The State provided the following possible definitions/criteria:

- Have repeated at least one secondary grade level or are one year over age for grade.
- Have a core grade point average (GPA) of less than 1.5.
- For each year of secondary education, are at least two semester credits behind the rate required to graduate from high school.
- Are emancipated youth.
- Have aged out of foster care.
- Are previous dropouts or have been suspended five or more times or have been expelled.
- Have received court/agency referrals mandating school attendance.
- Are deemed at risk of dropping out of school by a school official.
- Have been referred to or are being treated by an agency for a substance abuse related problem.
- Have experienced recent traumatic events, are victims of abuse, or reside in an abusive environment as documented by a school official or other qualified professional.
- Have serious emotional, medical or psychological problems as documented by a qualified professional.
- Have never held a job (applies to older youth).
- Have been fired from a job within the twelve months prior to application (applies to OS youth).
- Have never held a full-time job for more than thirteen consecutive weeks (applies to OS youth).

Determining whether a youth is attending or not attending school

As outlined in [Workforce Services Directive WSD17-07](#), those definitions do not exist in California law. Therefore, the State developed definitions using DOL guidance and California Department of Education guidelines for data and tracking of those both in and out of school.

Attending School - an individual is considered to be attending school if the individual is enrolled in secondary or postsecondary school. If a youth is between high school graduation and postsecondary education, the youth is considered an In-School (IS) youth if they are registered for postsecondary education, even if they have not yet begun postsecondary classes. However, if the youth registers for postsecondary education, but does not follow through with attending classes, the youth is considered Out-of-School (OS) youth if the eligibility determination is made after the youth decided not to attend postsecondary education. Youth on summer break are considered IS youth if they are enrolled to

continue school in the fall.

Not Attending School - an individual who is not attending a secondary or postsecondary school. In addition, individuals enrolled in the following programs would be considered an OS youth for eligibility purposes:

- WIOA Title II Adult Education, YouthBuild, Job Corps, high school equivalency program, or dropout re-engagement programs.
- A youth attending a high school equivalency program funded by the public K-12 school system who is classified by the school system as still enrolled in school are the exception; the youth would be considered an IS youth. Non-credit bearing postsecondary classes only.
- A charter school program that provides instruction exclusively in partnership with WIOA, federally-funded YouthBuild programs, federal Job Corps training or instruction, California Conservation Corps, or a state certified local conservation corps.

Criteria to Determine Basic Skills Needs

As outlined in [Workforce Services Directive WSD15-14](#), an individual is considered to be basic skills deficient if they are unable to compute or solve problems, or read, write, or speak English at a level necessary to function on the job, in the individual's family, or in society. The State identified the following ways to determine whether an individual meets those criteria:

- Lacks a high school diploma or high school equivalency and is not enrolled in secondary education.
- Enrolled in a Title II Adult Education/Literacy program.
- English, reading, writing, or computing skills at an 8.9 or below grade level.
- Determined to be Limited English Skills proficient through staff-documented observations.
- Other objective criteria determined to be appropriate by the Local Area and documented in its required policy.

Title I-B ASSURANCES

1. The State has implemented a policy to ensure Adult program funds provide a priority in the delivery of training services and individualized career services to individuals who are low income, public assistance recipients and basic skills deficient;
2. The State has implemented a policy to ensure local areas have a process in place for referring veterans with significant barriers to employment to career services provided by the JVSG program's Disabled Veterans' Outreach Program (DVOP) specialist;
3. The State has established a written policy and procedure that set forth criteria to be used by chief elected officials for the appointment of local workforce investment board members;

4. The State established written policy and procedures to ensure local workforce investment boards are certified by the governor every two years in accordance with WIOA section 107(c)(2);
5. Where an alternative entity takes the place of a State Board, the State has written policy and procedures to ensure the alternative entity meets the definition under WIOA section 101(e) and the legal requirements for membership;
6. The State established a written policy and procedure for how the individuals and entities represented on the State Workforce Development Board help to determine the methods and factors of distribution, and how the State consults with chief elected officials in local areas throughout the State in determining the distributions;
7. The State will not use funds received under WIOA Title I to assist, promote, or deter union organizing in accordance with WIOA section 181(b)(7);
8. The State distributes adult and youth funds received under WIOA equitably throughout the State, and no local area suffers significant shifts in funding from year-to-year during the period covered by this plan;
9. If a State Workforce Development Board, department, or agency administers State laws for vocational rehabilitation of persons with disabilities, that board, department, or agency cooperates with the agency that administers Wagner- Peyser services, Adult and Dislocated Worker programs and Youth Programs under Title I;
10. The State agrees to report on the impact and outcomes of its approved waivers in its WIOA Annual Report.
11. The State has taken appropriate action to secure compliance with the Uniform Guidance at 2 CFR 200 and 2 CFR 2900, including that the State will annually monitor local areas to ensure compliance and otherwise take appropriate action to secure compliance with the Uniform Guidance under section WIOA 184(a)(3);