

TEXAS WORKFORCE COMMISSION
Workforce Development Letter

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Effective:	September 30, 2026

To: Local Workforce Development Board Executive Directors
Commission Executive Offices
Integrated Service Area Managers



From: Mary York, Director, Workforce Development Division

Subject: **Workforce Innovation and Opportunity Act, Eligible Training Provider Program, Eligibility Criteria, and Performance Expectations—Update**

PURPOSE:

The purpose of this WD Letter is to provide Local Workforce Development Boards (Boards) with information and guidance on the Eligible Training Provider (ETP) program, as governed by the Workforce Innovation and Opportunity Act (WIOA), specifically pertaining to the eligibility criteria for training providers.

This WD Letter update provides guidance on:

- minimum performance standards for training programs on the statewide Eligible Training Providers List (ETPL); and
- progressive corrective action for ETPs that fail to meet minimum performance standards.

RESCISSIONS:

WD Letter 05-19, Change 2

BACKGROUND:

WIOA requires the Texas Workforce Commission (TWC) to establish the eligibility criteria, information requirements, and procedures regarding the eligibility of training providers to receive WIOA funds.

On May 9, 2017, TWC's three-member Commission (Commission) approved the eligibility criteria and performance requirements for initial and continued eligibility.

On November 26, 2018, the Commission approved removing from the criteria the minimum performance standards for determining the initial and continued eligibility of training programs.

On December 15, 2020, the Commission adopted new Title 40, Texas Administrative Code, Part 20, Chapter 840, “WIOA Eligible Training Providers”.

On August 13, 2024, the Commission approved minimum performance standards for determining the initial and continued eligibility of training programs.

PROCEDURES:

No Local Flexibility (NLF): This rating indicates that Boards must comply with the federal and state laws, rules, policies, and required procedures set forth in this WD Letter and have no local flexibility in determining whether and/or how to comply. All information with an NLF rating is indicated by “must.”

Local Flexibility (LF): This rating indicates that Boards have local flexibility in determining whether and/or how to implement guidance or recommended practices set forth in this WD Letter. All information with an LF rating is indicated by “may” or “recommend.”

NLF: Boards must inform appropriate staff that because Registered Apprenticeship Programs (RAPs) undergo a detailed application and vetting process to become RAP sponsors with the U.S. Department of Labor (DOL), they are not subject to the same application and performance requirements as other providers. TWC will automatically add to the ETPL RAPs that:

- have a **registered** status with DOL’s Office of Apprenticeship Training;
- demonstrate employer involvement (such as employer-sponsor designation or employer acceptance agreements); and
- notify TWC of the desire to be included on the statewide ETPL.

NLF: Boards must ensure that, in general, if a training provider is removed from the ETPL, enrolled students can remain in the training program until they complete their training or exit the program. Providers removed for substantial violations of WIOA requirements may be required to return funds provided for training in affected programs during the term of such violation.

Eligibility Criteria for Training Providers

NLF: Boards must inform appropriate staff that criteria for determining the initial and continued eligibility of training providers includes minimum performance standards.

NLF: Boards must inform training providers that they must meet the following evaluation criteria for initial and continued eligibility:

- A provider must be:
 - an institution of higher education providing a program that leads to a recognized postsecondary credential;
 - an entity that provides Registered Apprenticeship training; or
 - a public or private training provider, which may include community-based organizations, joint labor-management organizations, and providers of Adult Education and Literacy (AEL) activities under WIOA Title II, if AEL educational services are provided concurrently or in combination with

- occupational skills training, on-the-job training, incumbent worker training, or other training cited under WIOA §680.350; and
 - appropriately licensed, regulated, or accredited, or exempt from regulation under Texas Education Code, Chapter 132, with authorization in a Letter of Exemption from TWC Career Schools and Colleges.
- A provider's training programs must align with one or more occupations included on the statewide target occupations list.
- A provider must demonstrate that it offers its training programs in partnership with businesses by providing:
 - a letter of support from an employer in Texas; or
 - evidence of the existence of an employer-based advisory committee.
- A provider must submit the required program and student information requested by TWC, through the ETP management system. However, some data may not be required from new training programs that have never had students.
- Program performance must meet (not less than 90 percent of the standard) or exceed TWC-required standards shown in the table below.

ETP Minimum Performance Standards for Initial and Continuing Eligibility:

Performance Standards	2025 Reporting Period	2026 Reporting Period	2027 Reporting Period
Employed Quarter 2 Post-Exit	70%	70%	70%
Employed Quarter 4 Post-Exit	70%	70%	70%
Median Earnings Quarter 2 Post-Exit	\$7,800	\$7,800	\$7,800
Credential Rate	50%	55%	60%
Completion Rate	60%	60%	60%

NLF: Boards must inform training providers that WIOA requires them to submit program information to the state, including information for calculating a program's performance outcomes. TWC uses the information from training providers to:

- determine initial and continued eligibility for the statewide ETPL;
- submit its mandatory ETP performance report to DOL; and
- meet the federal requirements for informed consumer choice.

NLF: Boards must inform training providers that student data submitted without a valid Social Security Number (SSN) will be:

- excluded from median earnings standard; and
- included in all other ETP performance standards. Student records without SSNs will be reported as "not employed" for employment outcomes.

NLF: Boards must inform training providers that failure to meet or exceed ETP minimum performance standards will result in TWC initiating the procedures detailed in the attachment to this guidance, titled “WIOA Eligible Training Provider Program Performance Standards.”

NLF: Boards must be aware that failure by an ETP to submit required program information in accordance with the annual reporting timelines established by TWC will result in removal of affected training programs from the statewide ETPL for at least two years (24 months) following the reporting period.

LF: As stated in 20 CFR §680.430(e)(2), Boards may set additional criteria for performance and may require higher levels of performance than those required by TWC for local training providers becoming or remaining eligible to offer WIOA-funded training services through Individual Training Accounts in their local workforce development areas (workforce areas). These additional and/or higher standards do not affect eligibility for the statewide ETPL. Boards that elect to set local Board performance standards must notify TWC by email at etp.helpdesk@twc.texas.gov.

NLF: Boards must document and report to TWC possible violations of WIOA requirements and of state or local laws and withdraw approval of a provider or take other appropriate action for a provider that intentionally committed other WIOA violations.

NLF: Boards must ensure that information about training providers that offer applicable training in workforce areas is made available to all customers, including WIOA participants, so that customers can make informed choices about training programs.

NLF: Boards must inform appropriate staff members about, and ensure they comply with, the complaints and appeals procedures provided in the [Texas Workforce Commission Complaint Procedures Guide](#), issued March 11, 2026.

INQUIRIES:

Send inquiries regarding this WD Letter to wfpolicy.clarifications@twc.texas.gov.

ATTACHMENTS:

Attachment 1: WIOA Eligible Training Provider Program Performance Standards

Attachment 2: Revisions to WD 05-19, Change 2, Shown in Track Changes

REFERENCES:

U.S. Department of Labor, Employment and Training Administration Training and Employment Guidance Letter No. 03-18, issued August 31, 2018, and titled “Eligible Training Provider (ETP) Reporting Guidance under the Workforce Innovation and Opportunity Act (WIOA)”

Workforce Innovation and Opportunity Act of 2014, §122, Identification of Eligible Providers of Training Services

Title 40, Texas Administrative Code, Part 20, Chapter 802 Integrity of the Texas Workforce System

Title 40, Texas Administrative Code, Part 20, Chapter 823 Integrated Complaints, Hearings, and Appeals

Title 40, Texas Administrative Code, Part 20, Chapter 840 WIOA Eligible Training Providers

[Texas Workforce Commission Complaint Procedures Guide](#), issued March 11, 2026

WD Letter 12-25, issued November 4, 2025, and titled “Adoption of Local Workforce Development Board Policies and Budgets in Open Meetings”