

June 18, 2019

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WIOA ITA Policy

Purpose

The purpose of this policy is to describe and to detail the regulations concerning occupational skills training and the use of Individual Training Accounts (ITA's) by customers and staff of Workforce Centers of Southeast Arkansas- WIOA program- governed by the Southeast Arkansas Workforce Development Board (SEAWDB). Procedures are defined in this policy to assist with uniform practices.

Reference: (WIOA Law)

<https://www.congress.gov/113/bills/hr803/BILLS-113hr803enr.pdf>

Policy

It is the policy of the Southeast Arkansas Workforce Development Board (SEAWDB) to provide eligible WIOA individuals with assistance in educational/occupational skill training services through Individual Training Accounts with a maximum funding limit of \$10,000.00 per individual, as set by the SEAWDB. Occupational skills training is one of the training services available to Adults, Dislocated Workers and Youth [WIOA §§ 134(c)(3)(D)(i) & 129(c)(2)(D); 20 CFR 680.200 & 681.540; TEGL 21-16]. The training is an organized program of study that provides specific vocational skills that lead to proficiency in performing actual tasks and technical functions required by certain occupational fields at entry, intermediate, or advanced levels [20 CFR 681.540].

Adults and Dislocated Workers

To receive Occupational Skills Training an Adult or Dislocated Worker must meet all of the following numbered eligibility criteria, which are listed more concisely in ADWS Policy No. WIOA I-B – 3.1 (Service for Adults and Dislocated Workers):

June 19, 2019

1. The applicant must meet all eligibility requirements for the Adult or Dislocated Worker program and be determined eligible in accordance with the Southeast priority system in effect for adults if training services are provided through the Adult formula funding stream [TEGL 19- 16].
2. After an interview, evaluation, or assessment, and after career planning, it must be determined that the participant meets all of the following criteria [WIOA § 134(c)(3)(A)(i)(I); 20 CFR 680.210(a) & 680.220(a); TEGL 19-16]:
 - a. Is unlikely or unable to obtain or retain employment that leads to economic self-sufficiency, as determined by the SEAWDB, or wages comparable to or higher than wages from previous employment through career services alone
 - b. Is in need of training services to obtain or retain employment leading to economic self-sufficiency, as determined by the SEAWDB, or to wages comparable to or higher than wages from previous employment
 - c. Has the skills and qualifications to participate successfully in training services

Where appropriate, a recent interview, evaluation, or assessment may be used for the assessment purpose [WIOA § 134(c)(2)(B); 20 CFR 680.220(a); TEGL 19-16].

The case file must contain a determination of need for occupational training services as determined through the interview, evaluation, or assessment, and career planning or any other method through which the one-stop center or partner can obtain enough information to make an eligibility determination. There is no requirement that career service be provided as a condition to receive occupational skills training. If the recommended services are not provided before occupational training, however, case files must document the circumstances that justified the determination to provide training without any of these recommended career services [20 CFR 680.220)].

3. The participant must select a program of training services that is directly linked to the employment opportunities in Southeast Arkansas, or in geographic areas to which the individuals are willing to commute or relocate. This is done by choosing a program on the Eligible Training Provider List (ETPL) [WIOA § 134(c)(3)(A)(i)(II); 20 CFR 680.210(b); TEGL 19-16].
4. The selection of training services should be conducted in a manner that maximizes customer choice [20 CFR 680.340(a)], is linked to in-demand employment opportunities in Southeast Arkansas or in a geographic area in which the adult or dislocated worker is willing to commute

June 18, 2019

or relocate and is coordinated to the extent possible with other sources of assistance [TEGL 19-16].

SEAWDB must make available to customers the list of eligible training providers, a description of the programs through which the providers may offer the training services, and the performance and cost information about those providers [20 CFR 680.340(b)]

SEAWDB must work with representatives of secondary and postsecondary education programs to lead in the development and implementation of career pathways by aligning local employment, training, education, and supportive services needed by adults and youth, particularly individuals with barriers to employment [A.C.A. 15-4-3711(a)(8)].

5. The participant must be unable to obtain sufficient (covering all expenses) grant assistance from other sources to pay the costs of such training, including such sources as State-funded training funds, Federal Pell Grants, and TANF; or requires WIOA Title I-B assistance in addition to these other sources. In making the determination, WIOA programs may take into account the full cost of participating in training services and other appropriate costs [WIOA § 134(c)(3)(B)(i)(I); 20 CFR 680.210(c); 20 CFR 680.230; TEGL 19-16]. WIOA partners and other entities must coordinate funds available to pay for training [20 CFR 680.230]. Coordination of grants will be established between the SEAWDB and partner agencies to ensure that there are no duplication of services; this will also be done to establish the need for WIOA funded services through grant assistance.

In order to determine if a participant is able to obtain grant assistance from other sources, the participant must either apply for a Federal Pell Grant or must submit documentation that he or she is unable to get obtain the grant. ADWS FORM WIOA I-B – 3.3 (Verification of Educational Grant Assistance) or other official documentation from the Financial Aid Office of the college or from the Federal Student Aid office of the U.S. Department of Education can be used to verify eligibility for a Pell Grant. Such documentation may also document the amount of assistance expected to be given, which can be used in determining the participant's unmet need.

To determine a participant's unmet need, subtract the amount of scholarships and grants from the cost of attendance. Methods of determining a participant's cost of attendance are found under "cost of attendance" in ADWS Policy No. WIOA I-B – 1.2 (Definitions).

One-stop partners and other entities must coordinate funding of occupational skills training. The availability of funding from other programs, grants, and scholarships should be sought, so that WIOA funds supplement other sources [20 CFR 680.230(b)].

June 18, 2019

VA benefits for education and training services should not be included in “other grant assistance” in determining the amount of funding WIOA Title I-B can provide. Veterans and eligible spouses are not required to coordinate their entitlement to VA benefits for education and training with any concurrent eligibility that they may have for other training sources. Also, WIOA program operators may not require veterans or spouses to exhaust their entitlement to VA funded training benefits prior to allowing them to receive WIOA funds for training [TEGL 10-09].

A WIOA Title I-B participant may enroll in WIOA-funded training while his or her application for a Pell Grant is pending as long as the Arkansas Job Center has made arrangements with the training provider and the WIOA participant regarding allocation of the Pell Grant, if it is subsequently awarded. In that case, the training provider must reimburse the WIOA funds used to underwrite the training for the amount the Pell Grant covers, including any education fees the training provider charges to attend training. Reimbursement is not required from the portion of Pell Grant assistance disbursed to the WIOA participant for education-related expenses [20 CFR 680.230]. If the applicant is a member of a worker group covered under a petition filed for Trade Adjustment Assistance (TAA) and is awaiting a determination, training may be provided under WIOA Title I-B if all other eligibility requirements are met. If the petition is certified, the worker will then transition to TAA approved training. If the petition is denied, the worker will continue training under WIOA Title I-B [TEGL 19-16].

Occupational Skills Training is typically provided through Individual Training Accounts (ITAs). Except under the conditions listed below, training services must be provided by an approved eligible training provider (ETP) through an individual training account (ITA) [WIOA §134(c)(3)(G(i)); TEGL 19-16]. Contracts for services are used instead of ITAs only when one or more of the following exceptions apply and the consumer choice requirement described above has been fulfilled [WIOA § 122(h); WIOA § 134(c)(G)(ii); 20 CFR 680.320(a); TEGL 19-16]:

1. When SEAWDB determines that there are an insufficient number of eligible training providers in the local area to accomplish the purpose of a system of ITAs. (The determination process must include a public comment period for interested providers of at least 30 days and must be described in the Local Plan.)
2. When SEAWDB determines that there is a training services program of demonstrated effectiveness offered in the area by a community-based organization or another private organization to serve individuals with barriers to employment (see list and definitions in ADWS Policy No. WIOA I-B – 1.2 Definitions) [WIOA §3(24); 20 CFR 680.320(b)]: If the LWDB uses this method of training, the LWDB must develop criteria to be used in determining demonstrated effectiveness, particularly as it applies to the individuals with barriers to employment to be

June 18, 2019

served. The criteria may include [20 CFR 680.320(a)(3); TEGL 19-16]: a. Financial stability of the organization b. Demonstrated performance in the delivery of services to individuals with barriers to employment through such means as program completion rate, attainment of the skills, certificates or degrees the program is designed to provide, placement after training in unsubsidized employment, and retention in employment c. How the specific program relates to the workforce investment needs identified in the local plan

3. When SEAWDB determines that (a) it would be most appropriate to contract with an institution of higher education (see definition in 20 U.S.C. 1001, 1002(a)(1)) or other eligible provider of training services in order to facilitate the training of multiple individuals in in demand industry sectors or occupations and (b) such contract does not limit customer choice 4. When the LWDB determines that a pay-for-performance contract is suitable consistent with 20 CFR 683.500. If the LWDB enters into a pay-for-performance contract, the contract must be consistent with 20 CFR 683.510. No more than 10% of the local funds may be spent on pay-for-performance contract strategies, as they are defined in WIOA § 3(47) and ADWS Policy No. WIOA I-B – 1.2 (Definitions).

Occupational skills training can be combined with workplace training or work experience in several different situations. ITAs may be used with or without OJT contracts for registered apprentices [20 CFR 680.330 (a)]. Registered apprenticeship programs (RA) automatically qualify to be on a State's ETPL [20 CFR 680.330; TEGL 19-16]. Examples of RA sponsors who can be eligible training providers (ETP) are [TEGL 19-16]:

- Employers who provide related instruction. The employer is the ETP.
- Employers who use an outside educational provider, such as a postsecondary institution, technical training school, or online courses. In this case, the employer is the ETP.
- Joint apprenticeship training programs administered by a union. The union is the ETP.
- Intermediaries, such as postsecondary institutions, technical schools, industry associations, and community-based organizations, that administer the program, and either provide the training or work with other entities to provide the training. The Intermediary is the ETP.

Youth

Occupational skills training is Youth Program Element 4. As a Program Element, occupational skills training must be available to all youth if their assessments of academic levels, skill levels, and service needs indicate that they are prepared for such training and that the training meets their employment goals [TEGL 21-16]. Occupational skills training for youth must:

- (a) be outcome-oriented and focused on an occupational goal specified in the ISS

June 18, 2019

(b) be of specific duration to impart the skills needed to meet the occupational goal, and

(c) lead to the attainment of a recognized postsecondary credential [20 CFR 681.540(a); TEGL 21-16].

Occupational skills training for youth award grants or contracts on a competitive basis to entities to provide occupational skills training to youth. If the SEAWDB determines there is an insufficient number of eligible providers of youth occupational skills training in a local area, such as a rural area, grants or contracts may be awarded on a sole-source basis [WIOA §123; 20 CFR 681.540(a); TEGL 21-16].

ITAs may be used to provide occupational skills training to OSY, using youth funds to provide training with an ETP [20 CFR 681.550; TEGL 21-16]. ISY cannot use ITAs using youth funds, but ISY age 18 or older may co-enroll in the WIOA Adult program if the youth's individual needs, knowledge, skills, and interests align with the WIOA adult program. The co-enrollment would allow the ISY to receive occupational skills training through an ITA funded by the Adult program [TEGL 21-16].

Approved:

SEAWDB Chairperson Date

Amended:

 6-19-19
SEAWDB Chairperson Date