



**WORKFORCE INVESTMENT COUNCIL
DISTRICT OF COLUMBIA**



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WIC Policy No.	Subject	Date
2013.008, Change 2	WIOA INDIVIDUAL TRAINING ACCOUNTS	4/12/2016

ISSUING ENTITY:

DC Workforce Investment Council

SCOPE:

Workforce Investment Council, DC WIOA Administrative Entity, One-Stop Operators, and Mandatory Partner Programs

REFERENCES:

Title I-B of the Workforce Innovation and Opportunity Act of 2014 (WIOA) Section 122; 20 CFR Subpart C, 680.300-680.340 and Subpart D, 680.750; Workforce Investment Implementation Amendment Act of 2014 (DC Law 20-263).

EFFECTIVE DATE:

Voted on April 12, 2016 and effective as of May 15, 2016 (delayed to allow for implementation).

OBJECTIVE:

This policy provides instruction and guidance on the use of Individual Training Accounts (ITAs) supported through WIOA Adult and Dislocated Worker funds for use by Eligible Training Providers (as defined by WIC Policy 2013.009, Change 1) in providing occupational training to District of Columbia residents.

BACKGROUND:

Training services for qualified WIOA Adult and Dislocated Worker participants may be administered by means of ITAs in order to provide formal schooling or training designed to assist individuals in obtaining or retaining self-sufficiency through employment. Participants must demonstrate a need for formal training through assessment by Career staff at a DC American Job Center (DCAJC) location and meet eligibility standards as defined through WIOA.

Individual Training Accounts (ITAs) are the primary method to be used for procuring training services under WIOA, similar to under WIA. However, in certain circumstances a contract for training services may be developed instead of an ITA. Under section 134(c)(3)(G)(ii) of WIOA, the contract exceptions to an ITA have been expanded to include the following list of exceptions:

- On-the-job training, which may include placing participants in a RA program, customized training, incumbent worker training, or transitional jobs;
- If the local board determines that there are an insufficient number of eligible providers of training services to use ITAs; If there is a training services program of demonstrated effectiveness offered in a local area by a community-based organization or other private organization;



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- If the local board determines that the most appropriate training could be provided by an institution of higher education to train multiple individuals for jobs in in-demand sectors or occupations; and
- If the local board determines, a pay-for-performance contract is the most effective means of providing training services (note that no more than 10 percent of the local funds may be spent on pay-for-performance contract strategies as they are defined in section 3(47) of WIOA).

Additionally, a local board may determine that providing training through a combination of ITAs and contracts is the most effective approach. This approach could be used to support placing participants in programs such as RA and other similar types of training.

This policy only addresses the use of ITAs. Additional policies may be established by the WIC regarding the funding of WIOA-eligible training activities utilizing the exceptions noted above.

INDIVIDUAL TRAINING ACCOUNTS:

A. ITA Requirements

1. **Program Eligibility.** An ITA will only be approved for occupational training programs that are on the District's Eligible Training Provider List (ETPL), as established by WIC Policy 2013.009, Change 1 or subsequent updates to this policy.
2. **Duration and Amount.** An ITA made with respect to any participant shall not exceed one (1) year. The maximum amount available under an ITA contract shall be \$5,000 per year per participant, subject to section A.5 below.
3. **Five-Year Period.** A participant may receive a maximum of one (1) ITA contract in any five-year period. A DCAJC operator may waive this restriction and approve a second ITA during the five-year period so long as the participant meets eligibility requirements and the combined cost of the ITAs do not exceed \$5,000 per year.
4. **Use of ITA Funds.** For the purpose of enabling eligible DC residents to access occupational training programs, ITA funds are only authorized to pay for tuition, books, required equipment, and license exam fees for the training program, that are not otherwise covered by a grant or other financial aid. ITAs may also be used to cover the cost of classroom instruction related to a registered apprenticeship program. Additional career and support services may also be supported through these funds.
5. **Allowable Payments.** Payments may be made under an ITA for the following services:
 - a. **Occupational Training:** Tuition for training leading to an industry-recognized degree, certificate, or other credential that enables a participant to enter into an occupation consistent with the District's High-Demand Sectors and Occupations List or an occupation approved through the exemption process established in WIC Policy No. 2013.009, Change 1. ITA tuition payment amounts will be based on market rate research for comparable training programs and services offered at comparable training institutions in the regional market. The market value rate for program costs will be contractually negotiated between the Department of Employment Services (DOES) and the training provider.



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- b. **Related Expenses:** Books, required equipment, and license exam fees for the training program that are not otherwise covered by a grant or other financial aid may be paid through the ITA, provided that evidence is submitted establishing their cost. The amount provided for related expenses will be equal to the amount charged to the provider or participant.
 - c. **Career or Supportive Services:** WIOA allows for a variety of career and support services to be funded for participants in the Adult and Dislocated Worker programs. These services may be provided directly through DCAJCs or through other contracts outside the ITA process. An AJC operator may elect to fund one or more WIOA-eligible career or supportive services through the ITA process, in which case they will contractually negotiate the terms of these services and payment amounts to providers.
6. **Degree Programs.** ITAs may not be used to pay for instruction leading to a bachelor's degree or above. An ITA may be used to pay for content area instruction courses leading to an associate's degree.
 7. **Enrollment.** A participant must participate in the program for not less than five (5) class days before they may be considered enrolled in the program for purposes of ITA payments and eligible training provider WIOA performance levels.
 8. **Non-ITA Participant Requirements.** Per DC Law 20-263, no eligible training provider shall be eligible to receive funding for more than five (5) ITAs in a calendar year unless at least fifty (50) percent of all the students participating in the entity's training program are funded by sources other than the ITAs. DOES shall require evidence that this requirement is being met before authorizing more than five ITAs for each eligible provider, and may require additional evidence from providers for additional ITA enrollments.

B. ITA Procedures

1. **In General.** The WIOA Administrative Entity shall develop and implement procedures for establishing ITAs for eligible participants, subject to approval by the WIC. Such procedures must provide that the maximum time for processing and approval of an ITA application with respect to any participant shall be no more than 30 days from the date on which a one-stop operator submits a complete ITA application.
2. **Priority of Service.** Section 134(c)(3)(E) of WIOA establishes priority of service requirements with respect to adult employment and training activities. Priority of service must be given to recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient; as well as veterans and eligible spouses. Priority must be provided in the following order:
 - a. First, to veterans and eligible spouses who are also included in the other groups given statutory priority.
 - b. Second, to non-covered persons (that is, individuals who are not veterans or eligible spouses) who are included in the groups given priority for WIOA adult formula funds.
 - c. Third, to veterans and eligible spouses who are not included in WIOA's priority groups.
 - d. Last, to non-covered persons outside the groups given priority under WIOA.



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WIC Policy 2013.005 establishes the District's Priority of Service procedures. In the event that the District's WIOA Administrative Entity invokes a priority of service requirement under this policy that is consistent with the WIOA guidance noted above, priority for ITAs will be assigned. The WIOA Administrative Entity may leverage other local or federal funds as possible to ensure service can be maintained for all individuals, and may also implement a waiting list as needed.

3. **Reverse Referrals.** DCAJC Operators shall develop and implement procedures under which eligible training providers exceeding the performance levels may submit reverse referrals for group processing to a DCAJC for ITAs. Such procedures must be included in the business plan submitted to the WIC as part of the DCAJC certification process. All participants receiving a reverse referral must meet WIOA participant requirements in order to qualify for an ITA. A reverse referral shall not guarantee approval for an ITA.

C. WIOA Participant Requirements

1. **Participant Eligibility.** WIOA ITA funding may be provided for individuals who are bona fide District residents and have met the eligibility requirements described in WIC Policy No. 2013-010 and:
 - a. Are unable to obtain grant assistance from other sources to pay the costs of their training, OR require assistance beyond that available under grant assistance from other sources to pay the cost of such training; and
 - b. After an interview, evaluation or assessment, and career planning with DCAJC staff, they have determined that the individual:
 - i. is unlikely or unable to obtain or retain employment, that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment through career services alone;
 - ii. is in need of training services to obtain or retain employment that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment through career services alone; and
 - iii. has the skills and qualifications to successfully participate in the selected program of training services.
2. **Determinations of Eligibility.** Participants must have applied for WIOA services and have been determined by a WIOA employment specialist to be eligible for training services.
3. **Individual Employment Plans.** Participants must complete an Individual Employment Plan (IEP) that details the participant's skills, interests, and abilities, documents the Career Services provided to the participant, and sets specific goals for the participant to meet in order to obtain or retain employment that leads to self-sufficiency.
4. **Pell Grants and Other Financial Assistance.** Participants in qualifying programs must apply for Pell Grants and other appropriate grants. Funding should be coordinated to the extent possible with other sources of assistance as detailed in WIOA sec. 134 (c)(3). WIOA funds may only be used to cover costs described in "Use of ITA Funds" above, and may not be used for living expenses.



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5. **Withdrawal or Removal from Program**

- a. **Participant Withdrawal.** Participants may withdraw from an ITA-funded program within five (5) class days of beginning such program without impacting their eligibility for ITAs. If a participant withdraws within the initial five-day period, they shall not be considered to have enrolled in the program, and shall not count against performance levels of the eligible training provider.

To the extent that drug testing shall be conducted as part of a determination of a participant's eligibility for a program, such drug testing should be conducted within the initial five class day period.

If a participant withdraws after the initial five class day period, such withdrawal must be accompanied by a statement of good cause submitted to the WIOA employment specialist and signed by the educational institution and the participant. Good cause must demonstrate a reasonable basis for withdrawal including life events or the participant's inability to grasp the course requirements. If the employment specialist approves such withdrawal, the participant shall maintain eligibility for ITAs. If the employment specialist does not approve such withdrawal, the participant may be barred from receiving an ITA for a period of one (1) year following such withdrawal. Such participants shall count against performance levels of the eligible training provider.

- b. **Removal from Program.** Participants must remain in good academic standing as defined by the eligible training provider and otherwise comply with the requirements of the selected training program in order to maintain eligibility for funding. A training provider may remove a participant from a training program if such removal is accompanied by a statement of good cause submitted to the WIOA employment specialist. The eligible training provider shall be eligible to receive all funds currently payable under the ITA at the time of removal-. If the employment specialist does not approve the removal, the One-Stop Operator must notify the WIC and the Administrative Entity of any removals under this section within five (5) business days.

6. **Reimbursements.** If a participant withdraws or is removed from a program within five (5) class days of the start of the program, that participants shall not be enrolled in the program and an eligible training provider shall not be entitled to receive ITA funds with respect to that participant.

D. Customer Choice. Training services must be provided in a manner that maximizes informed customer choice in selecting an eligible training provider in accordance with the goals and objectives outlined in the client's Individual Employment Plan. A key philosophical foundation of WIOA is "informed customer choice" with the ultimate decision resting with the customer within policy and procedure parameters.

1. The DCAJC Operator will assist customers in making informed choices regarding career paths and training through the dissemination of information on state and local targeted industry and occupations in demand.
2. Participants must be able to use their ITAs to acquire training services from any training provider on the eligible training provider list in a manner that maximizes informed customer choice.
3. Customer choice must be exercised within the targeted industry and demand occupations designated. Individuals, eligible or otherwise, that seek training outside of these designated areas



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can be provided assistance in pursuing other sources of financial aid. WIOA is not an entitlement program.

RESCISSIONS:

WIC Policy No. 2013-008, Change 1

CONTACT ENTITY:

Inquiries regarding this rule should be directed to the Executive Director for the Workforce Investment Council.

APPROVAL:

Andy Shallal
Chair, Workforce Investment Council