

**Monroe County/Rochester
Workforce Development Board**

WIOA Policy 104

DATE: June 21, 2016
REVISED: December 17, 2019
SUBJECT: Individual Training Account (ITA) Guidelines

I. Purpose

According to the WIOA law, training services shall be provided to Adults and Dislocated Workers who, after an interview, evaluation, or assessment, and career planning, have been determined to be 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; are in need of training services to obtain or retain such employment; and have the skills and qualifications to successfully participate in the selected program of training services. Participants must select programs of training services that are directly linked to the employment opportunities in the local area or planning region, or in another area to which the participant is willing to commute or relocate. Training services may include occupational skills training, which shall be funded through an Individual Training Account (ITA).

II. Definitions

- A. Career Services:** “Career Services” are those services described in WIOA 134(c)(2).
- B. Low-Income Individual:** The term “Low-Income Individual” is defined at WIOA 3(36).
- C. Supportive Services:** The term “Supportive Services” is defined at WIOA 3(59).
- D. Training Services:** The term “Training Services” is defined at WIOA 3(60).

III. Priority for Demand Occupations

Per WIOA Section 134(c)(3)(F)(v), priority consideration for training programs approved for WIOA funds must be given to programs that lead to recognized post-secondary credentials that are aligned with in-demand industry sectors or occupations in the local area. Information from the Demand Occupation List, job postings, labor market data, knowledge of the local job market and other documented sources may be used to support an occupation in demand.

One-stop career center staff must inform ITA applicants during informational workshops and one-on-one appointments that “if a strong likelihood of training-related employment cannot be documented during the application process, the program will not be approved for funding.” One-stop career center staff are expected both to assist ITA applicants to document the likelihood of training-related employment and to disapprove an ITA application whenever the likelihood of such employment cannot be documented.

IV. Availability of Funds

A. Maximum Funding Amounts. Pending the availability of funds, the maximum amount allowable for training will be \$5,000 for WIOA eligible Adult, Dislocated Worker and Youth ITAs. The following exceptions apply:

1. Adults and Dislocated Workers seeking CDL training will only be approved for a maximum amount of \$3,000. Individuals pursuing employment for over-the road driving jobs may be eligible for other sources of financial assistance through tuition reimbursement or student loan repayment plans available through the trucking school. However, for low-income individuals (recipients of cash public assistance, SNAP assistance, or individuals at or below the higher of the federal poverty level or 70% of the Lower Living Standard Income Level) only the dollar limit for ITAs for Commercial Driver License (CDL) training has been raised to \$4,000.
2. Trade Act eligible workers are exempt from the above limits and may be eligible for tuition benefits of up to \$10,000 for programs less than 52 weeks or \$20,000 for programs up to 104 (130 with remedial) weeks in length.
3. Career Navigator and in-house technology based learning programs are not subject to ITA guidelines or cost limits.

B. Financial Aid. ITAs are only available to individuals who are unable to obtain grant assistance or financial aid from other sources to pay the costs of training. This includes, but is not limited to sources such as Trade Adjustment Assistance, Federal Pell Grants, New York State Veterans benefits (*excluding GI Bill or other Veterans Administration funding for training or education*) and employer sponsored training allowances.

C. Support of Sector Strategy Initiatives. *ITA funds may be prioritized to be used to support initiatives that include training in one of the Regional Workforce Development Boards' priority industry sectors. Regional priority sectors currently include advanced manufacturing and healthcare. To the extent that such initiatives do not have funds available for training, ITAs may be approved to pay for training for eligible WIOA participants to receive training in one of the priority sectors as part of the initiative. Participants must meet all eligibility criteria outlined in this policy. Specifically, the Health Professions Opportunity Grant (HPOG) and Strengthening Working Families Initiative (SWFI) are currently recognized sector strategy initiatives. Therefore, for the program year beginning 7/1/2019 and ending 6/30/2020, 25% of the WIOA ITA budget will be reserved for HPOG and/or SWFI participants training in one of the priority sectors. Any amount of this funding not awarded by 12/31/2019 will be released to be used to fund any ITA approvable under this policy. One-stop career centers should designate liaisons to each of these initiatives.*

D. Temporary Increase Due to Availability of Resources During PY 2019. *The maximum amount allowable for training has been temporarily increased to \$7,500 for WIOA eligible Adult and Dislocated Worker (but not Youth) ITAs. Adults and Dislocated Workers seeking CDL training will temporarily be approved for a maximum amount of \$5,000, regardless of income status. These changes apply to previously approved ITAs with future terms that start on or after 1/1/2020 and newly approved ITAs with a training start date on or after 1/1/2020. This temporary increase expires on 6/30/2020. All additional amounts paid under this temporary increase must be accrued by 6/30/2020.*

V. Residency Requirement

ITAs may be used to serve Monroe County residents including youth who are at least 18 years old and no older than 24 years old, or dislocated workers who were laid off from a Monroe County employer. ITAs may also be used to serve New York State residents who are members of a worker group covered under a petition filed for Trade Adjustment Assistance (TAA) and are awaiting a determination. In this case, the six criteria for approval of TAA training, found at 20 CFR 617.22, should be met for ITA eligibility. If the petition is certified, such workers will transition to TAA-approved training. If the petition is denied, such workers may continue training under the WIOA-funded ITA.

VI. Exclusions

A. Costs That Are Not Allowed. The following types of training programs and costs are not recommended for ITA approval:

- Training leading primarily to commission-based jobs and/or self-employment.
- Training leading only to part-time, seasonal, short-term or casual employment. (Requests for youth ages 18–24 will be considered if consistent with Employment Plan/ISS goals and objectives.)
- Programs having a planned completion date of more than 2 years.
- Correspondence courses or home study program. (Distance learning courses that meet criteria listed in Section XII, below, may be approved.)
- Training sites beyond the nine (9) county Finger Lakes Region unless training is not available within the Region.
- Application fees, registration fees, and prerequisite courses.
- Weapons and ammunition even when part of an approved training program.
- Retroactive funding of training programs.
- Parking fees.
- Physical exams.

B. Prerequisite Coursework. Prerequisite coursework is not covered. Individuals determined to be in need of training must have the skills, qualifications and financial ability necessary to successfully complete the selected training program. ITAs should only be written after an individual has met the entrance criteria established by the training provider and been accepted into a program. To the extent possible, ESOL, literacy, adult education and high school equivalency diploma courses should be taken in combination with an approved training program (see also Section XV, below).

VII. Nepotism

WIOA funded staff and partner agency representatives cannot issue ITAs for personal friends, family members or co-workers. An independent assessment and training determination must be conducted by a neutral party. ITAs for WIOA funded staff must be approved by a one-stop career center supervisor and meet the same criteria applied to other employed workers seeking training funds in accordance with 20 CFR Part 680.

VIII. Participants With “Marketable Skills”

Under WIA, ITA policy required an unemployed or underemployed participant with marketable skills to first seek full employment with their current skills before satisfying ITA eligibility requirements. That is not necessarily the case under WIOA. According to WIOA Sec. 134(b)(3), training services may be provided to adults and DWs who have been determined to be “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 the career services described in paragraph (2)(A)(xii).”

The phrase “leads to economic self-sufficiency” includes advancement along a career path that eventually leads to the local self-sufficiency wage of \$25/hour. Accordingly, an unemployed or underemployed participant may receive ITA training for training along a career path that will lead to higher wages in comparison to the participant’s current path, even if under WIA they would have been excluded due to marketable skills.

Furthermore, the phrase “or higher wages than previous employment” applies to dislocated workers who were earning more than the self-sufficiency wage at layoff. Accordingly, a dislocated worker may receive ITA training if needed to achieve a wage higher than the self-sufficiency wage to replace their earnings at layoff.

As under WIA, ITA training will *not* be approved for a career path that leads to the same or lower wages than that which could be obtained through the provision of career services.

In general, an occupational goal along a career path that leads to economic self-sufficiency or higher wages than previous employment is a full-time job. In specific situations where an individual has a barrier or limitation to employment that prevents them from pursuing full-time employment, ITA training may be approved (e.g., age, disability, etc.)

IX. One-Time Grant Rule

In general, a WIOA funded ITA is a one-time grant, *even if other grant funds issued through RochesterWorks, Inc., such as NDWG, TAA, H-1B, or state or local funds, were used.* However, exceptions may be made for individuals who previously received WIOA funded ITAs in the following situations.

A. Training Completed Within the Last Seven Years For individuals who have completed ITA training within the last seven (7) years, an exception may be made to allow the participant to use the balance remaining in their ITA account, subject to current ITA limits, under one of the following circumstances:

- the individual needs additional training to advance in an industry recognized career path in their field of training, i.e., Certified Nursing Assistant to Licensed Practical Nurse,

- the individual worked in the field in which they were trained but is now unemployed and due to changes in technology needs upgraded skills to be competitive in the industry (e.g., CAD), or employment opportunities are no longer available in their field and a career change is needed to find new employment,
- the individual that successfully completes a short-term training leading to a WIOA recognized credential while in the 18–24 year-old age group and needs additional occupational skills training, e.g., OSHA 10 certification to HVAC Technician,
- the individual is a veteran who was funded for an ITA under the Experience Counts Initiative and now needs additional training to obtain employment or advance in their career.

Under subparagraph A. above, exceptions will NOT be made for individuals in the following situations:

- the individual was terminated from a program with cause,
- WIOA funded training was not completed in the past and there was no justifiable cause, e.g., illness,
- the individual never worked in the field of training (Adult, DW only), or
- the individual did not comply with terms of the enrollment agreement.

Under subparagraph A. above, if it has been determined that ITA funds were improperly or incompletely spent due to the actions of the Local Workforce Development Board, career center staff, or a training provider, then the full balance should be restored to the individual's ITA account.

B. Training Completed More Than Seven Years Prior. For individuals who have completed ITA training more than seven (7) years prior to the date of application for the ITA, an exception may be made to allow the participant to receive a new ITA account, subject to current ITA limits.

C. Former Youth ITA Recipients. For individuals who have completed an ITA funded with WIA or WIOA Youth funds more than two (2) years prior to the date of application for the ITA, an exception may be made to allow the participant to receive a new Adult or DW-funded ITA account, subject to current ITA limits.

X. Supportive Services

Supportive services may be provided in accordance with WIOA Policy 103. To the extent that supportive services such as child care, dependent care, and housing that are needed to participate in WIOA funded training are not available under our local policy, such supportive services will be coordinated with other one-stop partners and community service providers. Individuals in need of those services will be referred to appropriate agencies by career center staff. Efforts to assist an individual in obtaining income maintenance employment while in training will also be provided. (Youth affiliated with a WIOA funded program operator will be expected to coordinate supportive services with that operator.)

XI. Priority of Service

Adult funds are subject to our local Workforce Development Board's priority of service policy (WIOA Policy 101).

XII. Distance Learning

ITA funds may be used to support distance learning (e.g. online coursework) when it is part of a curriculum that:

- leads to completion of a credential-bearing training program;
- requires students to interact with instructors; and
- requires students to take periodic tests.

XIII. Traditional College Students

ITA funds may not be used to support college tuition costs for an individual whose status is determined to be a “traditional” college student, i.e., a recent high school graduate whose immediate plans are to obtain post-secondary education and claimed as a dependent by a parent. Factors to consider include educational and employment history since high school, age, and dependent status. (An individual enrolled in the WIOA Youth program’s status as “traditional” will be determined with affiliated WIOA program operator, i.e., relationship with family).

XIV. Maximum Training Duration

Based on an individual’s existing skills and labor market requirements, training will be of the shortest duration necessary for the individual to return to employment, with a maximum length of 2 years (104 weeks). An exception that would extend the maximum training duration for an additional 26 weeks (130 weeks total) may be made for individuals who require remedial education in order to complete occupational training. (ITAs funded with WIOA Youth funds, other than college, will only be approved for programs that can be completed in 1 year or less.)

XV. High School Diploma or Equivalency

RWI supports having a High School diploma or equivalency as a first step toward achieving economic self-sufficiency. Job seekers without a High School Diploma or equivalency who are applying for training funds through the ITA process will be required to enroll in High School Equivalency Diploma classes prior to, or when possible, concurrently with occupational training. This requirement may be waived if an individual can document with a pre-hire letter or other acceptable written documentation that lack of a High School Diploma or equivalency will not be a barrier to obtaining employment in a given field. Additionally, an individual who is basic skills deficient (English and/or math skills at or below 8th grade level) will be expected to participate in remedial education and increase their skill level to the normally accepted standard required for success in their chosen occupational field.

XVI. Approved Training Providers

ITA training will only be funded through training providers on the New York State Eligible Training Provider List (ETPL). Furthermore, ITA training will only be approved when conducted by a state education approved agency, a licensed or registered proprietary school, or an entity operating under the direction of another state regulatory agency, e.g. Motor Vehicles Department, Health Department, etc. Exceptions may be made for other types of organizations that offer training leading to industry-recognized certifications and have a demonstrated job placement success rate.

XVII. Personal Services

ITA funds for training in personal service fields will not be approved. This includes programs such as barbering, cosmetology/hairdressing, esthetics, massage therapy, nail technician, and dog grooming. *Please note that although massage therapy in the hospitality, tourism, and personal care setting is disallowed, massage therapy in the health care industry will not be subject to the personal services exclusion.* (ITAs for youth ages 18–24 will be considered in personal service fields if consistent with Employment Plan/ISS goals and objectives.)

XVIII. Bachelor's and Higher-Level Degrees

Master's degree programs will not be approved. The last two years toward a Bachelor's degree program may be approved for WIOA Dislocated Workers and other youth ages 18–24; however, bachelor level programs will not be approved for WIOA Adults over the age of 24.

XIX. Lowest Cost Provider

Associate degree or multi-semester certificate programs will only be approved at lowest cost institutions. In most cases this will be a local community college or SUNY school. If a customer is already enrolled in an associate degree program at an accredited private institution when s/he applies for WIOA funds, WIOA funds may be approved under the following circumstances:

- the selected program can be completed in one year or less;
- successful progress has been made in the program to date (at least a 3.0 GPA – 2.5 for youth, ages 18–24);
- the applicant has the ability to cover program costs not funded by WIOA; and
- the customer can demonstrate availability of jobs in the chosen career field

XX. Covered Training Costs

WIOA funds will be used to cover tuition, required fees, exam fees for licensure or credentialing, and licensure or credentialing fees. For low-income individuals only: WIOA funds will also be used to cover required textbooks, materials (or supplies), and uniforms. All such costs are subject to the maximum amount allowable for training, specified in Section IV, above. For individuals who are not low-income, other costs such as books, materials (or supplies), and uniforms may be covered if those are the only costs for which WIOA funds are requested and all other costs are covered from other sources. Requests for reimbursements must be submitted within 6 months of program completion. Application fees, commencement fees, drug tests, physicals and health insurance will not be covered.

XXI. Waivers and Exceptions

The local policy will allow waivers and exceptions to facilitate the implementation and participation in initiatives, grants and additional funding and appropriations for special purposes and programs. This will not have an effect on the internal operational processes and procedures. RWI has the authority to make exceptions to the recommended guidelines in cases where a documented need is justified.

XXII. Effective Date

This policy is effective for all ITA training scheduled to begin on July 1, 2019 or later.

XXIII. Revision

RochesterWorks, Inc. has the authority to make technical revisions to this policy. Technical revisions may be made to better align this policy with federal or state laws, statutes, regulations, or policy guidance; to better align this policy with other local policies; to respond to changes in the WIOA budget that impact this policy; or to revise references to source documents cited in this policy. Any revision to this policy that could have a substantial impact on participants must be approved by the Workforce Development Board. The Executive Director has the authority to temporarily approve policy changes until the next Workforce Development Board meeting.

XXIV. Questions

Questions on this policy may be directed to Lee Koslow, Technical Assistance and Training Manager, RochesterWorks Inc., (585) 258-3500, x-3516, or Lkoslow@rochesterworks.org.

Date Approved by Workforce Development Board: December 17, 2019