

# **REGION 1 WORKFORCE INVESTMENT BOARD**

## **WORK4WV - REGION 1, INC.**

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### **Region 1 Workforce Investment Board Policy Letter #04**

#### **Subject: Individual Training Accounts**

**Effective Date: August 21, 2002 (Amended July 1, 2003)** (Replaces Policy Letter #04 dated 8/17/00. ITAs issued prior to 8/21/02 will be governed by Policy Letter #04 dated 8/17/00.)**(Amended February 1, 2006) (Amended May 11, 2006)**

**1. Purpose:** This policy outlines the process for the Individual Training Account (ITA), a system established under the Workforce Investment Act of 1998 (WIA), to purchase training from a certified eligible provider of training services for adults or dislocated workers who qualify for training services.

**2. Background:** The Workforce Investment Act (WIA) Sec. 134(d)(4)(g)(I) and Subpart I 663.480 of 20 CFR provides for the Individual Training Account (ITA) established on behalf of participants to finance training services. With limited exceptions, the ITA shall be the primary method for accessing training services. Training services must be provided in a manner that maximizes informed consumer choices in selecting an eligible provider. The Region 1 Workforce Investment Board / WORK4WV – Region 1, Inc., is responsible for establishing the criteria for determining the initial eligibility of certified providers of training services. The training facility must complete the West Virginia Workforce Development Act Provider Application and be approved as an eligible provider by Region 1 Workforce Investment Board / WORK4WV – Region 1, Inc. WORKFORCE West Virginia is the agency responsible for maintaining and publishing the list of certified eligible providers of training services. Reference WORKFORCE West Virginia Policy Letters 4-00, 5-00, 6-00, 11-00, 17-01, and 21-02.

**3. Policy:** To be initially eligible to receive funds for the provision of training services, a provider must be:

- ➔ A post-secondary educational institution that is eligible to receive federal funds under Title IV of the Higher Education Act of 1965 and provides a program that leads to an associate degree, baccalaureate degree, or certificate; or an entity that carries out programs under the National Apprenticeship Act; and have submitted an application to the state board that includes, but is not limited to, the following information: Name of institution or entity, programs to be offered and where and when they will be offered, and cost of such programs.

- ➔ A public or private provider of training services and have submitted an application to the Region 1 Workforce Investment Board / WORK4WV – Region 1, Inc. that includes, but is not limited to: The name of institution or entity, programs to be offered and where and when they will be offered, and verifiable performance and cost information requested on the application form.

Subsequent eligibility will require all training providers to submit an application to the Region 1 Workforce Investment Board / WORK4WV – Region 1, Inc. that contains performance and cost information on an annual basis. The Governor reserves the right to require higher levels of performance based on the performance information submitted by a training provider for subsequent eligibility.

The Region 1 Workforce Investment Board / WORK4WV – Region 1, Inc. will make the provider information forms available to providers of training through the local WORKFORCE West Virginia Career Centers. The providers of training will submit applications to the Region 1 Workforce Investment Board / WORK4WV – Region 1, Inc. Upon receipt of the application, the Region 1 Workforce Investment Board / WORK4WV – Region 1, Inc. will establish a list of providers that will also include the required performance and cost information. If the provider does not meet the required performance levels it may be removed from the list of eligible providers.

**4. Exemptions to Application Requirement:** Programs that do not require an application and certification eligibility include:

- ➔ Short term pre-vocational services including “soft skills” training
- ➔ On-the-job training
- ➔ Customized training

**5. Appeal Process:** Training providers that have been denied certification may appeal the decision through the following process: (Reference WORKFORCE West Virginia Policy Letter No. 21-02)

➔ **Denial or removal by Region 1 Workforce Investment Board:**

- a. Submit a written request for a hearing to the local Workforce Investment Board. This hearing – conducted by the local board’s Training and Performance Committee – must take place within 30 days of receipt of the request by the local board;
- b. The hearing shall include a rendering as to why the eligibility was terminated or denied and an appeal by the training provider as to why the decision should be reversed or a compromise established;

- c. Within 10 working days after the training provider is notified of the results from the local hearing, the training provider may appeal the local WIB's decision to WORKFORCE West Virginia. The training provider must submit the appeal using WORKFORCE West Virginia's Training Provider Appeal form available at each WORKFORCE West Virginia Career Center or from the WORKFORCE West Virginia website ([www.wvwic.org](http://www.wvwic.org)) along with any supporting documentation for the appeal.
- d. WORKFORCE West Virginia has 30 working days from receipt of the appeal form and supporting documentation to conduct an investigation, hold a hearing and render a written decision. The investigation may include, but is not limited to, on-site visits, informal conferences or conference calls to seek a resolution, and a formal hearing.
- e. The State Workforce Investment Council will have 30 working days from the receipt of any appeal arising from WORKFORCE West Virginia's decision to render a decision. The decision of the State Workforce Investment Council is final. The State Workforce Investment Council's Chairperson, Vice-Chairperson and the legal counsel of WORKFORCE West Virginia will conduct the appeal review.

**6. Individual Training Accounts Eligible Provider List:** The Governor has designated WORKFORCE West Virginia as the agency responsible for carrying out the responsibilities associated with maintaining and publishing a list of certified training providers for Individual Training Accounts.

The list of eligible training providers will be published in a brochure format and will also be posted on the Bureau of Employment Programs' homepage and linked with the WORKFORCE West Virginia Career Centers, the State Workforce Investment Council, WORKFORCE West Virginia, and the Region 1 Workforce Investment Board's websites.

The list of eligible training providers will contain the following information:

- ➔ Completion rates
- ➔ Wage at placement
- ➔ Percentage obtaining license, certificate or degree, if applicable
- ➔ Rate of retention in unsubsidized employment
- ➔ Program cost

**7. Removing Providers from the Eligible Provider List:** Upon receiving a list of providers that includes the required program performance and cost information from the local board, the WORKFORCE West Virginia will determine, within 30 days, whether the required information, including performance levels, have been met. If the levels have not been met, WORKFORCE

West Virginia, in consultation with the State Workforce Investment Council may remove the provider or program from the list. Providers may also be removed from the list for the following:

- ➔ ***Accuracy of information*** – If any inaccurate information regarding a program is intentionally supplied on the application form, a termination of eligibility will take place. This termination will remain in effect for a minimum of two (2) years.
- ➔ ***Noncompliance*** – If the Local Workforce Investment Board, State Workforce Investment Council, or the WORKFORCE West Virginia determines that an eligible provider has substantially violated any requirement under the Act, the appropriate agency will terminate the eligibility of the provider to receive funds for the program in question or take other action as deemed appropriate.
- ➔ ***Repayment*** – A provider whose eligibility is terminated will be liable for repayment of all funds received for the program during any period of noncompliance.
- ➔ ***Denial or removal by WORKFORCE West Virginia:***
  - a. If a local WIB approved the application (within the parameters of WORKFORCE West Virginia’s Policy Letter No. 17-01, Subsequent Eligibility) and forwarded the application to WORKFORCE West Virginia for inclusion on the State list, where the application was denied by WORKFORCE West Virginia; or if WORKFORCE West Virginia removed a provider or program from the list, then;
  - b. Within 10 working days of receiving notification of denial or removal, the training provider may appeal to WORKFORCE West Virginia by submitting WORKFORCE West Virginia Training Provider Appeal form, along with supporting documentation. The appeal will be reviewed by WORKFORCE West Virginia staff members who were not involved in the original decision to deny or remove the provider / program from the list.
  - c. WORKFORCE West Virginia has 30 working days from receipt of the appeal form and supporting documentation to conduct an investigation, hold a hearing and render a written decision. The investigation may include, but is not limited to, on-site visits, informal conferences or conference calls to seek a resolution, and a formal hearing.
  - d. Within 10 working days after the training provider is notified of the results from WORKFORCE West Virginia, the training provider may appeal WORKFORCE West Virginia’s decision to the State Workforce Investment Council. The written decision from WORKFORCE West Virginia will indicate how to appeal to the State Workforce Investment Council should the provider be dissatisfied with the WORKFORCE West Virginia’s decision.

- e. The State Workforce Investment Council will have 30 working days from the receipt of the appeal to render a decision. The decision of the State Workforce Investment Council is final. The State Workforce Investment Council's Chairperson, Vice-Chairperson and the legal counsel of WORKFORCE West Virginia will conduct the appeal review.

**8. Invoicing System:** The training provider will submit invoices to the Region 1 Workforce Investment Board / WORK4WV – Region 1, Inc. according to the following schedule:

- ¼ at verified enrollment in the program / semester (paid based upon ITA)
- ¼ at mid-point of the program / semester (invoice required)
- ½ upon substantial completion of training program / semester (invoice and/or closeout required)

If a participant drops out of the training program between disbursement periods, the balance due will be prorated. The participant must be making satisfactory progress, defined as a 2.5 GPA or better. If the GPA falls below 2.5 during any grading period, the participant will be placed on probation for the proceeding grading period. At the end of the grading period, if they have not attained 2.5 GPA or better, their tuition payments will be suspended.

#### **9. Limitations on Programs:**

- ➔ Training costs, reimbursable by WIA, shall not exceed a total of \$8,000 to include tuition, fees, books, supportive payments, childcare reimbursements, need-related payments, supplies, tools and special equipment for no more than a thirty (30) month period. Training costs incurred prior to the time the ITA approval is granted may not be approved for payment. The training provider and/or participant shall provide documentation of sources of income or funding for a training program that costs in excess of the amount approved for WIA funding.
- ➔ Participants will be limited to one (1) occupational skills course or training program. Following the successful completion of employment in the field of the ITA training, the participant may apply for an additional ITA in order to advance in the occupation career path or career ladder.
- ➔ Participants may transfer from a training institution of higher education to another as long as all accumulated hours are accepted by the receiving institution.
- ➔ Workforce Investment Act funding shall not be provided for individuals changing programs unless a reassessment is conducted at the WORKFORCE West Virginia Career Center, nor will the costs of any repeated course(s), lost books, etc., be borne by Region 1 Workforce Investment Board / WORK4WV Region 1, Inc.
- ➔ Transfers will not be approved for participants attending providers of training other than

institutions of higher education.

- ➔ Funds shall not be approved for sectarian training or activities.
- ➔ The participant will be required to apply for grant assistance from other sources to pay the costs of training including such sources as Division of Rehabilitation Services, Welfare-to-Work, State-funded training funds, Trade Adjustment Assistance and Federal Pell and/or Promise grants. WIA assistance may be in addition to, not in place of, other grant assistance.
- ➔ Distance learning and e-learning class will be approved only if it is part of an approved, accredited curriculum. Support payments for non-classroom training will be reduced accordingly.

**10. Duration of Training Program:** Length of training shall be based on the time needed to adequately learn occupational skills and cost effectiveness. Depending on the type of training, it could be as long as thirty (30) months, or as short as four (4) weeks.

**11. Exceptions to ITA Policy:** A waiver to the ITA policy may be granted where there exists an insufficient number of eligible providers of training in the local area or where a training service program is demonstrably effective in servicing special populations with multiple barriers to employment.

**12.** All participants of the Individual Training Account program must sign the Region 1 Workforce Investment Board / WORK4WV Region 1, Inc. Memorandum of Understanding and an Individual Employment Plan prior to receiving training services.

**13. Requirements for ITA Award:**

- a. Participant must meet WorkKeys score as defined in the WorkKeys Profile Guide for the chosen occupational training.
- b. Possess a High School diploma or GED. In special circumstances this may be achieved simultaneously with ITA sponsored training.
- c. Have received the following minimum core services:
  - (1) Orientation to the WORKFORCE West Virginia Career Center System
  - (2) Labor market / job search activities at the WORKFORCE West Virginia Career Center
  - (3) WorkKeys assessment in applied math, reading for information, and locating information

(4) WIA eligibility determination

- d. Choose an occupation that has been determined as a demand occupation (see attachment A) within Region 1 or sign a statement of relocation intent (WIB approval required) for an out of the region occupation.
  - e. Engage in labor market research and be able to answer questions pertaining to availability of occupational openings in the area, rate of pay, hours of work, ability and willingness to take openings, transportation and child care requirements. Documentation must be submitted on forms provided by the case manager.
  - f. Successfully complete the SPOKES Pre-employment Training program if the participant has not worked at least 20 hours per week during the past 12 month period. The individual assessment process may determine that this is a prerequisite to ITA issuance even though the employment minimum has been met.
  - g. Complete the NxLevel Entrepreneur Training for occupations that lead to self employment as indicated by the Individual Employment Plan.
  - h. Must be accepted into the selected training program, by the training provider, with supporting documentation.
  - i. Must apply for PELL by completing FASFA and submit Student Aid Report (SAR) before an ITA is issued. Must apply for PELL and submit a SAR each school year while in WIA training to continue receiving WIA funding.
- 14.** Funding for specific occupational training may be denied based upon supply / demand ratio of trainees vs. openings.
- 15. Failure to Abide:** Failure to abide by this policy relieves the Region 1 Workforce Investment Board / WORK4WV – Region 1, Inc., of any obligation to pay for any costs incurred.

**REGION 1 WORKFORCE INVESTMENT BOARD  
WORK4WV-REGION 1, INC.**

**MEMORANDUM OF UNDERSTANDING  
WITH PARTICIPANTS**

I, \_\_\_\_\_, am receiving services under the Workforce Investment Act (WIA). I agree to the following conditions and statements in order to receive services.

- # I understand that funding may be provided in order to complete occupational training. This training must be completed within 30 months. Training must begin within ninety (90) days of the issue date of the Individual Training Account (ITA). Training is limited to one (1) training. I am aware that Workforce Investment Act funds for Region 1 are limited and may exhaust before my training is complete and therefore Region 1 Workforce Investment Board/WORK4WV-Region 1, Inc. will not be obligated to provide further funding.
- # I will enroll, participate and complete in no less than 12 credit hours per semester and / or 10 instructional hours per week.
- # If my training facility is Pell Grant eligible, I must apply and submit the Student Aid Report (SAR) before an ITA is issued. I must apply for PELL and submit a SAR each school year while in WIA training to continue receiving WIA funding.
- # I understand that any default on federally funded or federally guaranteed student loan(s) may disqualify the awarding of any and all WIA funds.
- # I must be making satisfactory progress in my training program in order to receive supportive services and needs-related payments (if authorized). Satisfactory progress is completing the report period (i.e., semester or quarter) with a minimum of 2.5 grade point average (GPA). Continuation of receiving supportive payment is dependent upon receipt of grading period report from the participant. Additional Support payments will not occur until grade period report is received by the WIB Accounts Manager.
- # I must submit my attendance form every two (2) weeks.
- # I will notify my training provider immediately if I accept temporary or permanent full or part-time employment while receiving services.
- # I understand that if I have any questions or need assistance that staff is available to assist me at (\_\_\_\_\_) \_\_\_\_\_ (ACMC).
- # I understand that I have the right to file a grievance under the WIA Regulations section 667.600 and section 181 of the Workforce Investment Act.

\_\_\_\_\_ I agree to the conditions in this  
Memorandum of Understanding.

\_\_\_\_\_ I refuse the conditions in this  
Memorandum of Understanding.

\_\_\_\_\_  
Participant Signature

\_\_\_\_\_  
Date

***The undersigned has reviewed this document with the participant and was able to respond to the participant's questions. The participant appeared to understand the conditions contained in the Memorandum of Understanding.***

\_\_\_\_\_  
Case Manager (ACMC)

\_\_\_\_\_  
Date

Revised: May 11, 2006