



IMPERIAL COUNTY WORKFORCE DEVELOPMENT BOARD

2799 S. Fourth Street - El Centro, CA 92243 - Tel: (442) 265-4974 - Fax: (760) 337-5005

POLICY	ORIGINAL DATE	LAST REVISION
Individual Training Account (ITA) Policy	FISCAL YEAR 2012-2013	June 12, 2023

POLICY OVERVIEW

The purpose of this policy is to provide guidelines for implementing Individual Training Accounts (ITAs) that are flexible and maximizes informed customer choice in selecting an eligible training provider. This policy sets the training limit amount and duration of ITAs developed for eligible individuals funded under the Workforce Innovation and Opportunity Act (WIOA) in Imperial County. WIOA training is only provided for the high demand/high growth industries identified by the Imperial County Workforce Development Board (ICWDB). In addition, this policy identifies eligibility requirements for approved ITA training providers.

REFERENCES

- WIOA Section 122(c)(1) Application procedures
- WIOA Section 134(c)(3)(G), Use of Individual Training Accounts
- WIOA Section 194(12), General Program Requirements
- EDD WSD15-07 Workforce Investment Act Eligible Training Provider List Policy and Procedure
- 20 CFR 663.508 Program of Training Services
- One-Stop Comprehensive Financial Management Technical Assistance Guide (TAG), Department of Labor (DOL), July 2002, Section II-6-10, WIA Individual Training Accounts
- Title 2 Code of Federal Regulations (CFR) Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance)
- Title 2 CFR Part 2900, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Department of Labor Exceptions)
- Title 20 CFR, WIOA Final Rule, Sections 680.230, 680.300, and Section 683.410(a)(1)
- WSD 19-10 Recovery of WIOA Tuition and Training Refunds (*February 20, 2020*)
- WSD 21-03 ETPL Policy and Procedure (*November 10, 2021*)
- WSD 22-01 Performance Guidance (*July 18, 2022*)

POLICY

Training services may be made available to employed and unemployed WIOA Title I eligible adults and dislocated workers:

- Who have met the eligibility requirements for training services.
- Who are in need of training services and have the skills and qualifications to successfully complete the training program; and are unable to attain grant assistance from other sources such as Pell Grants, Trade Adjustment Act, or require WIOA assistance in addition to other sources of grant assistance.
- Who select a program of training services that is directly linked to employment opportunities in occupations that have been determined by the ICWDB to be in demand in the local area, or in other area to which an adult or dislocated worker receiving such services is willing to relocate; and
- Who select a program that may only be purchased through training providers that are registered and WIOA eligible on the State's Eligible Training Provider List (ETPL) through CalJOBS.

This WIOA Title I financially assisted program or activity is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities.

Training services are provided through Individual Training Accounts (ITAs) that allow adults and dislocated workers to receive training. Training services are intended to be provided in a manner that maximizes informed customer choice and may only be purchased through training providers registered and WIOA eligible on the State's Eligible Training Provide List (ETPL) through CalJOBS, located online at: www.caljobs.ca.gov. The courses listed on the ETPL through CalJOBS are continuously updated by training providers with the most current information on training programs in order to provide individuals a variety of training programs and occupational choices. ITAs may also be funded through Dislocated Worker Additional Assistance Project and National Emergency Grant funding when applicable, and participants qualify for training services.

TRAINING SERVICES FOR ITAs:

Pursuant to 20 CFR 663.508, "a program of training services can consist of one or more courses or a training regimen, and that either of these can lead to a formal credential (such as a degree or certificate) or to the acquisition of skills and competencies recognized by employers for a specific job or occupation, as well as general skills and competencies necessary for a broad range of occupations, or job readiness. The skills and competencies should be recognized by employers and identified in advance. Such competencies may include literacy or English language abilities."

TRAINING PROVIDER ELIGIBILITY:

Training providers are eligible to receive Individual Training Accounts (ITA) through WIOA funds when they are approved for listing on the State Eligible Training Provider List (ETPL). In order to be listed on the ETPL and receive WIOA funds for providing training services to adults and dislocated workers in Imperial County, a training provider will need to establish an account by registering in CalJOBS, located at www.caljobs.ca.gov, and submit an Application For State and/or Local Certification (which includes an ITA Service Provider Agreement) to the ICWDB. (For more information, please see the ICWDB *ETPL Policy and Procedure*.) The ICWDB will review these submissions and verify information by following the ETPL statewide policy and local procedures. Once approved, Eligible Training Providers (ETPs) will be able to add and maintain its training programs and required reporting documents and related information through CalJOBS.

The initial listing of qualified training providers may be valid for up to 12 months. An annual determination of subsequent eligibility will be made by the ICWDB beyond that point (20 CFR 663.530). **Subsequent eligibility to remain on the Local ETPL is based on the performance outcomes achieved by the entire cohort of participants in that program. All ETPs are required to submit information on performance outcomes to determine eligibility for listing and to facilitate informed customer choice.**

ITA SERVICE PROVIDER AGREEMENT MINIMUM REQUIREMENTS:

All ETPs must enter into service agreements specifying the terms and conditions for payment of participants accepted for training. A training provider class may not consist of any more than 25% of WIOA participants at any given time, unless special trainings need to be provided.

At a minimum, an ITA Service Provider Agreement must comply with the requirements of WIOA rules and regulations including identifying the occupation, skills and competencies to be learned, the length of time the training will be provided, program performance information and cost information. ETPs will be required to develop a prerequisite assessment for each course of training.

An ITA Service Provider Agreement is considered to be a legally binding agreement between the ETP and the Imperial County Workforce and Economic Development Office (ICWED). At least two original signed ITA contracts are required; an original for the ICWED and one for the ETP.

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ITA SERVICE PROVIDER AGREEMENT MODIFICATION:

In order to avoid any potential delays in the ITA contracting process, the ICWED Director will have the discretion to amend the allowable amount, duration, and/or any extraordinary amendments required for the successful implementation of an ITA Service Provider Agreement, pending approval of the ICWDB.

LIMITS ON FUNDING AMOUNT AND DURATION:

The training requirements listed below apply to all Imperial County WIOA Title I Service Providers:

- ITAs for WIOA Title I eligible adults and dislocated workers may not exceed fourteen thousand (\$14,000) dollars, per enrolled individual;
- Maximum training time will be twelve (12) months;
- Individual funding awards will be based on the cost of training and financial need, including availability of other training grants;
- Funds may be used for tuition and educational supplies (such as books, fees, uniforms, tools, license fees upon completion of training, tutoring, testing fees and interpreters);
- Multiple awards may be made to the same job seeker, up to the amount of the lifetime cap (\$14,000);
- ITA funds may not be used to pay for failed classes or failed attempts for testing, unless significant barriers are identified which prevented the participant from obtaining their goal; and
- **Imperial County WIOA funded service providers must request, in writing, and receive written authorization from the ICWDO Director pending approval of the ICWDB, to exceed the cap amount of \$14,000 and/or exceed the duration cap of 12 months.** The request must include the entire participant case file with succinct notes, supporting documents, and data to include: a completed objective assessment that indicates the rationale for requesting the training at a higher level than the training limit; the reason the program was selected and how it is directly linked to employment opportunities in the local area based on the ICWDB identified in demand occupations; and finally, the reason why the participant is unable to obtain funding assistance from other sources to pay for the additional training costs.

INVOICING/PAYMENT METHODS:

ICWDB reimburses all Eligible Training Providers (ETPs) in installment payments. ETPs may submit invoices to the ICWDB at the following times during the course of training: **Enrollment, Midpoint, and Completion.** All invoices must be properly prepared and submitted with required documentation in order for the ICWED to process payments according to established procedures. Invoices must be submitted within 30 days after the completion of each phase. Documentation of hours completed and grade received, transcript of study completed, and a copy of certificate(s) received must also be provided to the ICWED when submitting the final invoice for each participant. Under special circumstances, and with the approval of the ICWED Director, the invoicing/payment methods may be modified.

ICWDB will adhere to the following reimburse rates for all ETPs:

- **Enrollment** – 50% of the total payment will be paid for each participant at the time of enrollment.
- **Midpoint** – 25% of the total payment may be invoiced at the midpoint of training. Midpoint is defined as the completion of a minimum of 50% of the total training hours and 50% completion of the program competencies with satisfactory performance as the training provider.
- **Completion of the training** – The remaining 25% of the total payment may be invoiced upon satisfactory completion of training. Completion is defined as 100% of the total program competencies with a minimum score of 80% and completion of 100% of the total training hours, or completion of all training requirements as specified in the ITA Service Provider Agreement, and the attainment of an Industry Recognized Certificate, Credential or License.

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RECOVERY OF FUNDS:

WIOA requires all Local Areas to recover any unused training funds. In the event a participant discontinues training, the training provider must immediately inform the AJCC staff. ICWDB will conduct due diligence to ensure the recovery of unused training funds. Service providers will provide ICWDB with an itemized receipt that outlines all expended funds in order to determine if any funds have not been used. ICWDB will work with the service provider in order to determine if overpayment has taken place and if any funds need to be returned. Failure to return any funds to ICWDB may result in removal from the local ETPL.

PERFORMANCE:

All locally approved ITA service providers must adhere to performance guidelines outlined in the ICWDBs *Eligible Training Provider List Policy and Procedures* and the yearly negotiated local area performance measures. On an annual basis, all approved ETPs performance data must be correctly entered into CalJOBS for each program listed. **Written evidence must be submitted to the ICWED Program and Compliance on a monthly basis that they have met the minimum performance criteria required.**

ITA service providers' facilities, curriculum, classroom instruction, class schedule, financial records and attendance records may be reviewed at any time by the Federal, State and/or local monitors, ICWED staff, or auditors to ensure compliance with funding requirements.

In the event that a contracted ETP is determined to have an unfavorable review pertaining to participant training, services, performance outcomes, and/or other criteria specified in the ITA Service Provider Agreement, an ICWED staff member will schedule and facilitate a performance remediation meeting to discuss possible technical assistance and procedures.

CASE MANAGEMENT, FOLLOW UP SERVICES, AND TRAINING RELATED PLACEMENT:

In recognition of the importance of case management in assisting participants as cited in 20 CFR 663.410, all WIOA participants receiving training provided through ITAs will also receive case management, job placement and follow up services provided by training providers, and/or assigned AJCC staff, as stipulated in the ITA Service Provider Agreement.

ICWDB requires **ALL** ITA service providers to participate and work collaboratively with the AJCC staff to provide case management and follow-up services. For more information, please see the *Adult, Dislocated Worker and Youth Follow-Up Services Policy*. ITA service providers must submit a follow-up services and placement plan to the ICWDB on a yearly basis.

WIOA emphasizes the importance all participants must be placed in a training related job placement within 6 months of completion of their training program (***For the occupations in which the state requires passing a state examination, the six month period begin after the exam results are received***). ICWDB requires that all ITA trainings maintain a 70% placement rate, in which 70% of the trainings WIOA participants must be placed in a training related placement within 6 months of completion of their training program.

In the event that the training related placement rate falls below 70%, that training program will be placed on notice by ICWDB. If the training program continues to fall below the 70% requirement, that training program will be placed on suspension and will cease from gaining any new WIOA participants until they can provide documentation that their training related placements have increased and meets ICWDBs requirement.

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WAIVERS

Waivers can be approved for any ITA requirement with approval of the ICWED Director. Waiver requests must be submitted in writing. ICWED Director will review the request, approve/deny the request, and will notify the training provider within 30 days.

OVERSIGHT AND COMPLIANCE:

To ensure validity and correctness of the reimbursement amounts claimed, and that the training for which the ITA Service Provider Agreement is written is actually delivered, monitoring at the local level will include ICWED staff oversight of the participant training, fiscal requirements and invoicing. The on-site monitoring of the training will include documenting information received directly from the participants and the ITA training provider's perspective about how the training is progressing.

The ETP will maintain all financial, attendance, and miscellaneous records relating to the ITA Service Provider Agreement and will preserve the same for a period of not less than three years from the date of the final contract payment.

ICWED staff and approved service providers are strictly prohibited from requiring, or recommending, an adult or youth participant to sign an uncompleted, or blank, time sheet, or any other Imperial County Workforce Development Board approved form.

Such records may be required to be retained beyond said period if an audit has begun but is not completed, or if the audit findings have not been resolved at the end of the required retention period. In such cases, the records shall be retained until resolution of the audit findings.

ADA COMPLIANCE:

In accordance with the Americans with Disabilities Act (1990), all publicly funded agencies are prohibited from discriminating against persons with disabilities in all services, programs and activities provided. All privately operated public accommodations, commercial facilities and private entities offering examinations or training must make their goods and services accessible to persons with disabilities. Training providers must comply with all WIOA and ICWDB policies when applicable.

APPEALS:

ICWDB may terminate an ITA at any time. All ITAs shall have the right to appeal the ICWDB or State of California denial for listing on ETPL or de-listing from ETPL using procedures adopted by the State of California for CalJOBS. (Reference EDD Eligibility Training Provider List Policy and Procedures and the IWIOA Grievance and Compliance Procedure. These documents may be obtained online at www.ivworkforce.org, or by contacting the Imperial County Workforce and Economic Development Office Equal Employment Opportunity Officer located at 2799 S. 4th Street, El Centro, California 92243.

ACTION:

Please bring this policy to the attention of ICWDB, AJCC system staff and appropriate WIOA funded service providers and sub-recipients. This policy is effective immediately. All submitted forms are live documents and subject to change according to local, State, and Federal needs. Once the forms and exhibits pertaining to this policy are approved by the ICWDB, they will not require board approval if other changes occur, unless the change affects protocols. Should you have any questions, please feel free to contact ICWDB staff at (442) 265-4974, (442) 265-4959, (442) 265- 4955 or the Program and Compliance Manager (442) 265-4963.

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