

EmployIndy

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POLICY OF EMPLOYINDY

Policy Name	Training Service Requirements
Policy Number	2015-019
Program Funding Stream	All WIOA
Executive Team Approval	(please date & initial below)
CFO	<i>[Signature]</i> 5/30/17
COO	5/26/17 <i>[Signature]</i>
President Approval	5/30/17 <i>[Signature]</i>

REV	Description of Change	Author	Effective Date	Review Date
	Initial Release – replaces policies 2010-OP-009, Training Criteria and Funding Limitations and 2010-OP-015, Unmet Financial Need	W. Miller	07/01/15	6/30/16
	Revise Summary of Law	S. Johnson	Upon Approval	6/30/2018

1. Purpose

To establish EmployIndy policy related to participant eligibility for WIOA funded training services.

2. Scope

This policy identifies the parameters for the investment of WIOA training dollars in Marion County. It addresses funding limitations for various types of training and the methodology for determining the unmet need of the participants applying for training funds.

3. Summary of the Law, Rules, and Governing Policies

WIOA Section 134(c)(3)¹ and 20 C.F.R. § 680.200 through § 680.340 cover training eligibility and unmet training needs. Training that is provided must be to obtain or retain employment that leads to economic self-sufficiency.² The Indiana Department of Workforce Development

¹ 29 U.S.C. § 3174(c)(3)

² 29 U.S.C. § 3174(c)(3)(A)(i)(I)(bb); 20 C.F.R. § 680.210(a)(2)

(DWD) may develop an economic self-sufficiency standard.³ EmployIndy may adjust DWD's economic self-sufficiency standards or adopt its own self-sufficiency standards. The law and regulations provide the local workforce development boards with significant flexibility in determining both the eligibility criteria for in-demand occupations and subsistence level earnings. The cited legislation also defines the type of training that the local areas may provide and the conditions under which each type of training is to be provided.

The WIOA legislation and proposed regulations establish Individual Training Accounts (ITAs) as the primary mechanism for provision of occupational skills training for individuals. However, it does address alternative methods including customized training, on-the-job training, incumbent worker training and transitional employment training. It also allows for contracting for training services when insufficient local training providers are on the state eligible training provider list.

The legislation also indicates that training may only be provided to those individuals who need occupational training to reach subsistence level employment and that WIOA funding can only be used to meet the unmet need of the participant.

4. Responsibilities

EmployIndy Career Services Department is responsible for guidance, validation and periodic review of this policy.

EmployIndy contracted service providers are responsible for the implementation of all facets of this policy and for the designation and training of all staff that will carry out the activities addressed in this policy.

5. Policy Statement

The investment of WIOA training dollars will be directed through EmployIndy's policies on *Sector and Career Pathway Investment* and *Education & Training Investment*. Those policies provide the methodology for identifying the high growth industries and high demand occupations in central Indiana. The bi-annually issued *Where the Jobs Are* list issued as a bi-product of the *Education & Training Investment* policy will be the guide for high demand occupations.

Training Criteria and Funding Limitations

Training Criteria

All EmployIndy training investments shall be with the intention of moving participants to subsistence level employment. That may be training for a job that is at or above the subsistence level of 250% of the poverty level for Marion County or training for employment that is in a career pathway that will result in employment at or above the subsistence level.

In order to be considered for eligibility of training funds, participants shall first complete the assessments as defined in the *Client Assessment* policy.

Participants must also submit to a criminal and/or motor vehicle background check in

³ 29 U.S.C. § 3174(a)(3)(A)(xii)

accordance with the EmployIndy *Background Check* policy to be eligible for WIOA training funds.

All participants must also pass a drug screening test as defined by the Indiana Department of Workforce Development policy to be eligible for WIOA funded training.

All participants must have or actively be working on earning a high school diploma or high school equivalency diploma in order to be eligible for prevocational or occupational training.

Prevocational training must lead to occupational training or job referral.

Occupational training must be within a high demand/high growth/high wage occupation with career ladder as defined by EmployIndy.

All occupational training, with the exception of on-the-job, incumbent worker training, customized training and transitional employment must lead to an industry recognized credential.

Individuals that already have degrees and certifications are not eligible for training services funded by WIOA unless it can be shown that such existing degrees and certifications are insufficient to allow the participant to achieve self-sufficiency. See the “Self-Sufficiency Chart” at the end of this policy.

Funding Limitations

EmployIndy shall use our Title II, Adult Basic Education partners for all high school equivalency preparation services. EmployIndy, at its discretion, may pay for the costs of the secondary equivalency exam when other sources are not available.

Multiple prevocational training programs may be funded per program participant; however, funding shall not exceed the total prevocational funding limitation detailed below.

Only one occupational training program may be funded per period of participation.

Funding for occupational training will only be considered when the school and program is regionally accredited.

Following are the funding limitations based on training/credential type:

	Training/Credential Type	Maximum Amount of Funding	Prerequisites
	High School Equivalency	\$700 per participant (exception only)	Exception Approval
	Prevocational Training	\$2,000 per participant	High School Diploma or Equivalency Diploma
Occupational Training	Postsecondary Certificate (non-degreed credential)	\$4,500 per participant	High School Diploma or Equivalency Diploma
	Associate’s Degree	\$3,000 per 12 month period with a maximum of \$6,000 to be utilized within a 2 year period	High School Diploma or Equivalency Diploma

	Bachelor's Degree	\$3,000 per 12 month period with a maximum of \$6,000 to be utilized within a 2 year period	Must have 2 years of postsecondary education or have obtained an Associate's Degree prior to program enrollment.
	On-the-Job Training (OJT)	Limitations as stated in the Training Delivery policy (OJT section)	None
	Customized Training	Limitations as stated in the Training Delivery policy (Customized Training/Contracted Training section)	None
	Incumbent Worker Training (IWT)	Limitations as stated in the Training Delivery policy (OJT section)	None
	Transitional Employment	None – EmployIndy will not offer Transitional Employment	N/A

Determining Unmet Financial Need

Unmet Financial Need

WIOA funds are the funds of last resort (prior to school loans.) In order to use WIOA funds, a participant is required to prove a need for these funds.

A preliminary determination of eligibility for a Federal Pell Grant and all other opportunities for financial assistance should be made before a WIOA participant enrolls in a particular school or training program. All available sources of funds (excluding loans) should be considered in determining an individual's overall need for WIOA funds. The service provider staff should work with the participant to calculate the total amount of funding available from all sources and the total amount of training and supportive services costs necessary for the participant to cover the student's education expenses for the total period of enrollment.

Clients are permitted to enroll in training paid by WIOA funds while a Federal Pell Grant application is pending. Withholding a Federal Pell Grant from a student because WIOA has already paid the training expense is prohibited by the U.S. Department of Education. However, the training provider must reimburse EmployIndy if both funding sources eventually pay the same costs for the participant.

Determining Training-Related Financial Assistance Need

Sequencing the order and determining how WIOA funds will be used should be determined on a case-by-case basis. WIOA does not require Federal Pell Grants or other grant funds or loans to be used for tuition or supportive service costs before WIOA funds are used. However, WIOA does prohibit duplicating payments by WIOA funds and other sources of financial assistance. An example is as follows:

The individual has a tuition cost of \$1,000 and other education related expenses of \$2,000. The individual is eligible to receive a \$2,000 Federal Pell Grant. Two, of several, options may be possible:

1. WIOA may be used to pay the tuition and the Federal Pell Grant may be used entirely for the other education related expenses.
2. WIOA may pay a portion of the tuition and provide supportive services. The Federal Pell Grant may be used to pay the remainder of the tuition and other education related expenses that are not paid under supportive services by WIOA.

The [Free Application for Student Financial Aid \(FAFSA\)](#) is available at all American Job Center offices and is required to be submitted prior to approving funded training for Pell eligible programs.

The Federal Pell Grant program uses the following figures to calculate eligibility and the amount of assistance:

1. Student reports Expected Family Contribution (EFC) on the FAFSA. This is the amount the student and family are expected to contribute to the student's education. This is based on dependency status, family size, income, assets, expenses, and the number of family members enrolled in undergraduate, post-secondary education or training.
2. Cost of Attendance (COA) is an estimate of a student's tuition and reasonable education related expenses for the total period of enrollment. These expenses include such things as:
 - Tuition and fees;
 - Books and supplies;
 - Room and board;
 - Phone and internet;
 - Personal expenses (necessities such as clothing, laundry, and toiletries as needed to attend training);
 - Transportation;
 - Miscellaneous expenses (such as childcare and special costs for students who are disabled as needed to attend training).

For WIOA purposes, a student's unmet financial need is equal to the Cost of Attendance, minus Expected Family Contribution, minus Federal Pell Grant eligibility, minus financial aid from other sources. The total amount of financial assistance a student may receive must not exceed the unmet financial need.

An example calculation is as follows:

	\$16,000.00	Cost of Attendance
(-) minus	\$8,500.00	Expected Family Contribution
(-) minus	\$4,100.00	Federal Pell Grant eligibility
(-) minus	\$1,200.00	Financial aid from other sources
	\$2,200.00	Unmet Financial Need

Should unmet need exceed the criteria for funding limitations, case managers shall counsel clients on budget alternatives.

Participants are not required to apply for or access student loans or incur personal debt as a condition of participation. Participants may incur personal debt, at their discretion, after counseling by service provider staff regarding the responsibilities associated with the indebtedness, including loan repayment.

Determining Family Size & Income Eligibility for WIOA Programs

Family Income: All income received by all members of the family during the six-month period prior to application/registration, annualized by multiplying the six-month income by two (6-month income x 2). This amount should be compared to the self-sufficiency as defined in the WIOA Participant Eligibility policy.

The composition of the family is determined as of the date of the application/registration. Therefore, the income of prior family members who may have comprised part of the family during the past six months, but are no longer members of the household (i.e., a divorced, separated or deceased spouse, or other family member) would not be counted for income determination purposes. Only the income of members of the current family should be counted and applied against the current family size.

Family Size: The number of dependent children plus the number of parents or guardians who reside together. See definition of family.

Inclusions for Family Income

- Gross wages and salaries before deductions;
- Income from self-employment;
- Social Security Disability Insurance (SSDI);
- Governmental and non-governmental pensions (including military retirement pay);
- Alimony;
- Merit based scholarships, fellowships, and assistantships (i.e. the recipient may be determined by students' athletic, academic, artistic or other abilities);
- Dividends, interest, net rental income, net royalties, periodic receipts from estates or trusts, and net gambling or lottery winnings;
- Terminal leave pay, severance pay, or a cash out of accrued vacation leave;
- Disaster Relief Employment Wages;
- On-the-Job Training (OJT) wages.

Exclusions for Family Income

- Unemployment Compensation;
- Child support payments;
- Old age and survivors' insurance benefits received under section 202 of the Social Security Act (42 U.S.C. 402);
- Income earned while the veteran was in Active Military Duty;
- Veteran's Benefits: i.e., compensation for service-connected disability and service connected death, vocational rehabilitation, and education assistance;
- Federal non-cash benefits such as: Medicare, Medicaid, food stamps, school lunches, and housing assistance;
- Assets drawn down as withdrawals from a bank;

- Public Assistance payments;
- One time cash payment, which includes: tax refunds, loans that are debt and not income, one-time insurance payments or compensation for injury, gifts and lump sum inheritances;
- Job Corps payments;
- Cash value of employer-paid or union-paid portion of health insurance or other employee fringe benefit;
- Cash value of food or housing received in lieu of wages;
- Payments received under the Trade Readjustment Act of 1974;
- Needs-based scholarship assistance;
- Financial assistance under Title IV of the Higher Education Act: i.e. Federal Pell Grants, Basic Educational Opportunity Grants (BEOG), Federal Supplemental Educational Opportunity Grants and Federal Work Study (PLUS, Stafford, and Perkins loans, like any other kind of loan, are debt and not income);
- Stipends received in the following programs: VISTA, Peace Corps, Foster Grandparents Program, Retired Senior Volunteer Program; Youth Works/AmeriCorps Program;
- Foster child care payments;
- All WIOA payments except OJT.

Note: When a federal statute specifically provides that income or payments received under such statute shall be excluded in determining eligibility for the level of benefits received under any other federal statute, such income or payments shall be excluded in WIOA eligibility determination.

6. Exceptions

WIOA payment of high school equivalency training instead of by a Title II Adult Basic Education (ABE) provider must have prior written approval by the One-Stop Operator. Approval of the request for an exception must provide justification concerning the inability or unavailability of funding through an ABE provider.

Service providers may petition the One-Stop Operator to waive the training prerequisites. The petition must contain justification as to why the requirement is burdensome and why the client will be successful without the prerequisite.

Participants who were laid off through no fault of their own are eligible to participate in multiple OJT programs within a 12 month period.

Service Provider(s) may petition the One-Stop Operator in writing to approve training that does not meet one or more of the criteria established in the policy statement. The petition must address the following:

- Why training would be beneficial;
- Cost of training (if applicable);
- Job placement potential; and
- Salary/Wage potential.

A disabled youth will be considered a family of one in the determination of low-income. Other family member income will not be used in the calculation of family income.

All exceptions must be documented and maintained in the client's case file.

7. Definitions

Alimony - Financial support to one's spouse after separation or divorce.

Dependent children - Any child, age up to and including the age of 17; Any child over the age of 17 who did not provide more than 50% of his/her own support for the 6 months prior to application.

Note: Applicants over age 17 who would ordinarily be included as part of a family, but claim to be no longer dependent on the parent/guardian, must complete a self-certification statement, justifying that he/she has provided more than 50% of his/her own support (food, shelter, transportation costs, etc.) for the last 6 months. This statement should include the amount and sources(s) of his/her personal income, and the type and amount of expenses that the individual has covered for the last 6 months.

Family - Two or more persons related by blood, marriage, or decree of court, who are living in a single residence, and are included in one or more of the following categories:

- A husband, wife, and dependent children.
- A parent or guardian and dependent children.
- A husband and wife.

Gross Wages - Total compensation exclusive of deductions.

Guardian - An individual related by blood, marriage, or decree of court and living in a single residence where the parents are not present in the residence.

High wage/high growth/high demand – occupations meeting current labor market demands or emerging occupations demands and provide a family-supporting wage.

Industry Recognized Credential – an industry specific credential related to the attainment of educational or occupational skills

Living in a single residence -Temporary, voluntary residence elsewhere such as attending school or college, or visiting relatives. It does not include involuntary temporary residence elsewhere, such as incarceration or placement into foster care as result of a court order.

Occupational Training – 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 advance levels. Such training should: 1) be outcome – oriented and focused on a long term goal as specified in the Academic Career Plan, 2) coincide with exit rather than short term training that is part of services received while enrolled, and 3) result in attainment of an industry recognized skill or credential.

Period of Participation – begins with the date the first service was offered and ends with the date that the individual is exited (has not received a service for 90 days).

Prevocational Training - Habilitative activities that foster employability for a participant. Prevocational training services are aimed at preparing an individual for paid employment. Activities included in this service are generally not directed at teaching specific job skills, but at underlying habilitative goals, such as attention span and motor skills. They may also include skills that are common across a wide span of occupations such as desk top computer skills, reading for information, and following oral and written instructions.

Social Security Disability Insurance (SSDI) - Income to people who are unable to work because of a disability. SSDI is intended to be provided until their condition improves and is intended to guarantee income if the individual's condition does not improve.

The Workforce Innovation and Opportunity Act (WIOA) – Federal legislation intended to provide workforce investment activities, through statewide and local workforce investment systems, that increase the employment, retention, and earnings of participants, and increase occupational skill attainment by participants, and, as a result, improve the quality of the workforce, reduce welfare dependency, and enhance the productivity and competitiveness of the Nation.

8. Related Policies and Documents

EmployIndy Policies:

- Client Assessment
- Sector and Career Pathway Investment
- Education and Training Investment
- Training Delivery
- Eligibility Policy
- Background Check

Indiana Department of Workforce Development, "WIOA (181)-P1 Workforce Innovation and Opportunity Act Participant Drug Screening."⁴

⁴ http://www.in.gov/dwd/files/WIOA_Drug_Screen_Policy_-_6-8-15_2-45.pdf

Self-Sufficiency Chart⁵

Family Size	Metropolitan Income Level	250% of the Economically Disadvantaged Criteria Guidelines ***Self-Sufficiency Level***
1	\$11,880	\$29,700
2	\$16,020	\$40,050
3	\$20,967	\$52,418
4	\$25,884	\$64,710
5	\$30,544	\$76,360
6	\$35,729	\$89,323
7	\$40,912	\$102,280
8	\$46,095	\$115,238
9	\$51,278	\$128,195
10	\$56,461	\$141,153
Add for Each Additional Family Member	\$5,183	

Updated July 5, 2016

⁵ [http://www.in.gov/dwd/files/Economically Disadvantaged Criteria TAB 2016.01.pdf](http://www.in.gov/dwd/files/Economically_Disadvantaged_Criteria_TAB_2016.01.pdf)