



## POLICY

---

<b>CATEGORY:</b>	<b>Workforce Programs- WIOA</b>	<b>No: 4.1.104.08</b>
<b>TITLE:</b>	<b>Individual Training Accounts (ITAs)</b>	
<b>SUPERSEDES:</b>	<b>4.1.104.07, dtd 02/21/2020</b>	
<b>EFFECTIVE:</b>	<b>May 23, 2024</b>	
<b>BOARD APPROVAL:</b>	<b>May 22, 2024</b>	
<b>DATE OF LAST REVIEW:</b>	<b>May 9, 2024</b>	

---

### I. PURPOSE:

An Individual Training Account (ITA) is an account established by Workforce Solutions of the Coastal Bend for the purpose of providing training services to eligible participants for Workforce Investment Opportunity Act (WIOA) Adult, Dislocated Worker, Out Of School Youth (OSY) or In School Youth (ISY)(when a TWC-DOL Waiver is active for ISY).. Establishment and uses of ITA's is governed by WIOA Titles I-IV Rules. The ITA document is a cost disclosure and agreement between the program and the participant. It sets up an account for the participant and indicates the amount of funds budgeted for the training program and all supportive cost for the duration of the training program.

WIOA provides workforce activities that increase employment, retention, and earnings of participants. WIOA attempts to return adults and dislocated workers to employment as quickly as possible by testing the labor market for suitable employment and providing a sequence of services. If participants are unable to secure employment through core or intensive services, training can be the appropriate service to secure employment.

### II. DEFINITIONS:

*ITA* – Individual Training Accounts are training accounts provided to eligible WIOA candidates to utilize in the funding of approved programs.

*Participant* - An individual who has been determined to be eligible to participate in and who is receiving services under a program authorized by WIOA.

*Service Provider* - An individual or organization under contract with the Board that provides training or professional services in support of workforce activities (administrative and operational) conducted by or on behalf of the Board.

### III. POLICY STATEMENT

All training for which an ITA is issued must be included on the statewide Eligible Training Provider List (ETPL) available in Board announced system including WorkInTexas and EdVera. Additionally, the ITA issued must be consistent with the Board's Business and Strategic Plan. If a training provider is removed from the ETPL, enrolled students can remain in the training program until they complete their training or exit the program.

### **WIOA Funding**

It is important to emphasize that, under WIOA; the opportunity for an individual to enroll in a training program does not rely exclusively on the availability of WIOA training funds. In all cases, the resources of partners as well as federal, state, local, and personal funding sources must be taken in account in the development of the individual's employment plan. WIOA funding for training is limited to participants who are unable to obtain sufficient grant assistance from other sources to pay the full costs of training.

However, WIOA funds cannot be used to pay training costs:

- For any portion or term of training for which the participant has signed a loan as part of financial aid; or
- That were paid by the participant (or other source) prior to WIOA program registration.

Occupational skills training for WIOA eligible participants will be limited to those occupations for which there is a demand in the Coastal Bend region listed in Board's Target Occupation List (TOL), occupations that have been determined on a case-by-case basis to have a high potential for sustained demand growth in the workforce area, based on sufficient and verifiable documentation; or target occupations in another workforce area to which the participant is willing to commute or relocate; and do not limit consumer choice.

A waiver may be given to training in occupations that are not listed on the Board's Targeted Occupations List, but are determined to be in sectors of the economy which have a high potential for sustained demand or growth, if the following criteria are met:

- 1) Written evidence from employers that confirms projected annual openings for the occupation at a level equivalent to the Board's current annual opening criteria for targeted occupations;
- 2) Written evidence from employers that verifiers completers of the training will be paid at a wage that is in compliance with the Board's current wage criteria for targeted occupations; and
- 3) Written evidence that the skill set which will be acquired through the skill training meets current skill needs of Coastal Bend employers.

### **Exceptions to ITAs**

Occupational skills training shall be delivered utilizing the Individual Training Account system for WIOA Adult, Dislocated Worker, ISY and OSY participants, except in the following instances, whereby services may be provided through a contract.

- 1) Training is received through approved on-the-job or incumbent worker training provided by an employer or through an approved customized training program; or,
- 2) The Board determines there is an insufficient number of eligible providers of training services in the Coastal Bend region to accomplish the purposes of a system of ITAs; or
- 3) The Board determines that there is a training services program of demonstrated effectiveness offered in the Coastal Bend by a community-based organization or another private organization which serves participant populations that face multiple barriers to employment, including one or more of the following categories:
  - a) Individuals with substantial language or cultural barriers;
  - b) Offenders;
  - c) Homeless individuals;
  - d) Individuals with disabilities; or
  - e) Other such population defined by the Board.
- 4) The Board enters into a pay-for-performance contract that:
  - a) specifies a fixed amount to be paid to the service provider based on achievement of specified levels of performance for target populations within a defined time period; and
  - b) requires outcomes that must be independently validated prior to disbursement of funds.

### **ITA Limits**

The lifetime limit of an ITA is \$7,000 per program participant. The use of ITA funds is limited to tuition expenses, fees, and such books and supplies as are required by the training provider for any student enrolled in course of study covered by the ITA. If the customer is in need of remediation or basic skills or prerequisite training for participation in the principle course of study, up to two courses in any combination (other than two in the same subject) is allowable. No participant can be enrolled for more than two and one half (2½) academic years (5 semesters, 4 summer sessions, 10 quarters or 7 trimesters). Exceptions to these limits may be made on a case-by-case basis. Exceptions to the maximum limit and duration of an ITA must be submitted to the Board President/CEO or designee with well documented justification for approval. Requests for an exception must include evidence that supports that all efforts were made to identify, secure, and use other financial resources prior to seeking WIOA funding.

Changes to the training program (or majors) will be allowed as long as the change is in line with the training institution's satisfactory progress standards and the changes will allow the student to complete the new course of study within the original time period and is approved by the WFSCB

Career Center Manager. The request for change to the training program must be justified and properly documented. Participants who change course plans must provide a revised course plan, which demonstrates their ability to complete the course within the original time period. The change must be consistent with assessments, FEP/ISS, demand target occupations, skills and aptitudes of the student. Additionally, the new course of study must be on the state approved training provider/course list. A limit of one (1) training program change (school change or change of major) will be allowed on each ITA.

#### **IV. PROCEDURES:**

The participant's case file must contain a determination of need for training services as identified in the Family Employment Plan/Individual Services Strategy (FEP/ISS), comprehensive assessment, or through any other intensive service received. WIOA removed the sequence of service requirement established under WIA.

Prior to enrolling a participant for any training service, a case manager must develop with the participant a Family Employment Plan/Individual Service Strategy (FEP/ISS). The FEP/ISS is used to develop an employment objective for the participant and a plan of action, including appropriate training, to achieve that objective.

The FEP/ISS shall identify the skill training for the occupation in demand that will be pursued and the required skill competency level associated with the additional training service. In addition to the FEP/ISS, documentation supporting the participant's eligibility must be maintained in the participant's case file. The documentation must support the fact that the training is needed in order for the participant to gain the appropriate level of employment at a self-sufficient wage. If training services are identified as an appropriate and necessary step toward achievement of employment for the participant in an appropriate occupation included on the Board's targeted occupations list, the customer can choose the appropriate training provider from among those in the Eligible Training Provider List (ETPL). To help ensure that participants will complete their chosen training program, the participant will be required to demonstrate that they have the adequate resources to sustain themselves and/or their family during the training period without the use of student loans.

The WFSCB case manager will work with the customer to identify the resources that are needed and all resources that are currently available to pay for education and training, including the customer's financial resources, federal, state, and local grants and programs. All resources must be identified. Pell Grants and other financial resources will be combined with WIOA funds to cover total training expenses..

Taking into account the cost of the training as shown in the ETPL, as well as other resources available to the participants, such as the GI Bill, other assistance from the Veterans Affairs (VA), Hazelwood Act, Texas Grant Monies, assistance from the Vocational Rehabilitation Services (VRS) and other such agencies, private scholarships, Pell Grants and others, an ITA is created for the participant. VA training benefits do not require to be exhausted prior to accessing WIOA funds for training.

A “deposit” for an ITA is made to the participant’s account sufficient to cover costs associated with tuition, fees, books, school/supplies/materials as identified in ETPL, less the sum of other resources available to the participant. All payments made to training providers from this ITA account and the balance remaining in the account must be documented in the participant’s case file and entered into WorkInTexas and any other board approved case management system. At no time should the ITA account’s initial deposit be exceeded without the signed approval of the Career Center Manager, based on well-justified and documented good cause. Expenditures made in excess of the initial deposit without Career Center Manager approval based on well-justified and documented good cause may not be reimbursable to the service provider.

Although great care should be taken by case managers to insure that deposits made to participants’ ITA accounts correctly reflect training costs as stated in ETPL, in some cases actual cost may be less than the amount of the deposit. An unused balance in such a case is not money owed to the participant. In all cases, unused ITA balances should be “zeroed-out” as soon as it is determined that there is an excess. On the other hand, if actual costs exceed the training costs as stated in the ETPL, case managers must request approval from the Career Center manager for an adjustment in the ITA amount. Changes to the ITA amount must include evidence that supports the requested increase, e.g., the ETPL training detail printouts that reflect the differences between both costs.

Participants in training who are unemployed must attend training full-time as determined by the training provider’s determination of a full-time student.

Participants are not limited in time by the certification and expiration dates included in provider’s ETPL certification. The two and one half year (2½) ITA time limit may be extended for participants who are enrolled in training while working full or part-time if such extension will allow the participant to complete the training. However, any extensions of time beyond the 2 ½ year ITA time limit must be approved by the Career Center Manager and handled on a case-by-case basis. Requests for an exception must include evidence that financial support is available during this extended training period.

A statement that payment of training costs is subject to the availability of WIOA funds should be included in every ITA. Additionally, a statement should also be added that ITAs may not be used for payment of late fees, fines, or penalties caused by participant error or delay.

Participants enrolled in training are expected to:

- attend school regularly,
- have contact with their case manager on a monthly basis to identify all problems that might affect their successful completion of training and
- to coordinate school registration requirements prior to actual registration.

The duration of training may consist of enrollment in a multi-quarter, multi-semester or multi-year educational or training program. Career Center professionals must inform customers that although any financial aid awarded is for a specific amount of money, individual vouchers will be issued to training providers on an interim basis, e.g., on a semester-by-semester basis. Before a new voucher is issued, Career Center professionals will meet with the participant to re-assess and

update student's financial status. These meetings are to be conducted in person or virtually, and must be documented in counselor notes. By re-evaluating the participant's financial status, the Career Center professionals may use this information to help assess the customer's ability to contribute toward paying for requested services. Additionally, the Career Center professionals may recommend other outside resources to pay for needed training and/or supportive services.

The determination as to whether a customer receives another voucher for the requested services depends upon the results received from this evaluation process. A change in the student's financial condition may affect their level of financial support. Participants are expected to pass their classes and to request tutorial assistance if needed and to supply their grade reports to their case managers as they are received. These policies and expectations must be reflected in a Participant Service Agreement developed by the Career Center service provider.

### Service Provider Responsibilities

The Career Center service provider will be responsible for the development of the following procedures in the application of the WIOA Adult, Dislocated Worker, OSY and ISY training services provided through an ITA:

- Written procedures for timely data entry of ITA information into WorkInTexas(WIT) and other board approved tracking data bases such as Gazelle (program eligibility, agreements, verification of participant's enrollment into a vocational training component, financial assistance, funding sources, training amounts, transaction amounts, ITA balances, etc.)
- A process for tracking and documenting all resources paying for the participant's training including WIOA Title I funds to ensure non-duplication of payments.
- Internal procedures for the issuance of financial support services including method of disbursement of funds and authorization for approval with Participant Agreement forms (cash reimbursement, lines of credit, etc.).
- A process for documenting how other sources of funding were sought and/or how they apply to the cost of an ITA.
- The internal procedure for the issuance of a check request. This must include identification of those individuals who are required and authorized to approve/sign ITAs. It must also specify the use of Participant Agreement forms.
- A process on how ITA and financial assistance policies, procedures will be disseminated to participants of the WFSCB Career Center in simple, concise, understandable language.
- A process to collect and coordinate the documentation of participant enrollment and attendance, grade/progress reports, and case management contacts required during enrollment in training services.
  
- A process for providing the following to participants:
  - Labor market information on targeted demand occupations and related skill standards/skill competencies of eligible program for which an ITA may be issued;
  - Access to the list of eligible certified training providers through the ETPL;
  - Performance and cost information relating to the approved training programs offered by eligible providers; and

- Information on available local work-based training providers, on-the-job training (OJT), customized training, paid or unpaid work experience opportunities, internships, registered apprenticeships, or incumbent worker training that meets the performance standards (for example, entered employment and retention) for that occupation; and
  - On-going information on the status of their individual ITA account.
- Report deposits, withdrawals, and balances by participant to the Board on a quarterly basis and compare the total obligation to available budget.
  - A process that documents the need for WIOA financial assistance and the participant's expected expenses for the entire training period; this will require the creation of form(s) or worksheets. The procedure will be developed to provide career center team members clear direction on the process for completing the form, frequency of update, and/or timeframes. The form at a minimum must include: Training Program, Training Provider, Cost, duration of training, Pell grant applied for or received; and any other forms of assistance (grant/scholarship), has the participant or any other source already paid for the training prior to WIOA Eligibility, budget for the duration of training (living expenses), amount of WIOA funds, Pell Funds, and other funding to be applied; Acknowledgment will be validated by signature of participant and career center team member.

The Career Center service provider will also be responsible for the following:

- Assisting participants in applying for any financial aid that would cover expenses associated with attending training.
- The Career Center will be responsible for ensuring that Board funds purchase required tools, books, supplies, uniforms, etc.
- Conducting financial tracking for each service on the Financial Client Management System.
- Board approved pamphlets that communicate the policies, procedures, and financial tracking elements pertaining to ITAs for distribution to participants.
- Ensuring that each voucher will be valid **only** for the amount and length of time specified on the voucher, and each participant **must** follow his/hers individual FEP/ISS.
- Ensuring that a copy of the ITA vouchers issued are kept in the participant's file and in the accounting file.
- Developing an agreement with each local training institution that details the method of payment from all sources dedicated to completion of training.
- Adherence to Grievance procedure 29 CFR 37.70 – 37.80.

## V. TRADE ADJUSTMENT ASSISTANCE (TAA)-ITA

The Trade Act of 1974 (19, U.S. Code (USC). 2271-2322) as amended, (the Trade Act or Trade) requires that intervention strategies used for programs, benefits, and services will offer rapid, suitable, and long-term employment for adversely affected workers. The primary goal of Trade services is to assist Trade certified dislocated workers in locating new jobs, which may include

training for new occupation, as rapidly and as effectively as possible. The creation of an ITA in order to track the training activities for a new occupation will be required.

TAA Eligible workers may receive TAA funded services such as required remedial skills training, allowable prerequisite training and vocational training costs.

Service Provider must ensure that prior to authorizing training and creating of ITA for TAA Eligible Workers the following criteria are met:

- The participant is Trade certified;
- no suitable employment is available for the participant;
- the participant is qualified to undertake and complete the training based on comprehensive assessment of the participant's knowledge, skills and abilities and interests;
- the participant has the ability to benefit from the training base on a comprehensive assessment of the participant's knowledge, skills and abilities;
- there is a reasonable expectation of employment following completion of training;
- the training is reasonably available to the participant from training providers, in which consideration of training providers is not limited to the providers appearing on the Eligible Training Provider List.
- The lifetime limit of an ITA \$7,000.00, listed for Adult and Dislocated Worker, per program participant is not applicable to TAA Participant.
- the training is available at a reasonable cost and at the lowest cost in cases where more than one (1) similar training for the same occupation is available to the participant;
- the participant is not using personal funds, including loans, for any part of the required costs of Trade approved training;
- training can be completed in its entirety within the training duration maximums stipulated with the Petition Number assigned to the certification;
- training supports a specific occupational goal, and any remedial or prerequisite component is supportive of such goal and;
- pursuant to governing TEGs, the participant is advised:
  - full-time or part-time training may be approved by TRA allowances will not be paid for any week in which training is part-time for Petition Numbers greater or equal to 70,000 or
  - only full-time training will be approved for Petition Numbers less than 70,000.

Service Provider will comply with Trade Act Services Applicable Rules:

- Trade Adjustment Assistance (TAA) Reauthorization Act of 2015, Public Law 114-27.
- Trade Adjustment Assistance Extension Act of 2011, Pub. L. 112-40;
  
- Omnibus Trade Act of 2010, Pub. L. 111-344;
- Trade Adjustment Assistance Reform Act of 2002, Pub. L. 107-210
- Trade Act of 1974, Pub. L.93-618;19 U.S.C 2271-2322;
- Trade Regulations at 20 Code of Federal Regulation(C.F.R.) Parts 617 and 618 and 29 C.F.R. part 90.



- U.S. Department of Labor (DOL) Training and Employment Guidance Letters (TEGLS) are available on DOL’s web site at (<http://www.doleta.gov/tradeact/directives.cfm>) including but not limited to:
  - TEGL 11-02, issued October 10, 2002; TEGL 22-08 issued May 15, 2009; TEGL 10-11 issued November 18, 2011; TEGL 05-15 issued September 4, 2015.
- 40 Texas Administrative Code (TAC), Chapter 849, Employment and Training services for Dislocated Workers eligible for Trade Benefits, as amended;
- Texas Workforce Commission (TWC), Trade Adjustment Assistance Guide, April 2016 and subsequent issues; and
- Workforce Development (WD) Letters and other Agency Policy Directives.

**VI. RELATED POLICY INFORMATION:**

WIOA Act of 2014 Regulations 20 CFR Part 680

Subpart B- Training Services, Subpart C- Individual Training Accounts and

Subpart D- Eligible Training Providers

WIOA-Guidelines for Adults, Dislocated Workers and Youth. Effective July 6, 2018.

WIOA- Final Rules Titles I-IV Published in Federal Register August 19, 2016 and effective October 18, 2016.

TWC, Trade Adjustment Assistance Guide, April 2016 and subsequent issues.

TWC, WD-Letter 14-19 Change 1 dated February 17, 2020. Workforce Innovation and Opportunity Act: Individual Training Accounts and Training Contracts

TWC, WD-Letter 29-19 dated November 7, 2019; effective immediately. Statewide Eligible Training Provider List.

Workforce Development Division- Technical Assistance Bulletin 294- dated January 17, 2020.

TWC, WD-Letter 05-19 Change 1 dated January 12, 2021; effective immediately. Workforce Innovation and Opportunity Act, Eligible Training Provider Program, Eligibility Criteria and Performance Expectations – Update.

TWC- WIOA Guidelines for Adults, Dislocated and Youth, revised March 18, 2024.

TWC,WD Letters issued subsequently the above mentioned rules & regulations.

**VII. RESPONSIBILITIES:**

Service Provider will disseminate to appropriate Career Center professionals and follow the procedures outlined in this policy document and related policy documents.

The Board monitor shall provide oversight and monitoring to ensure full compliance with this policy.

**VIII. FORMS AND INSTRUCTIONS:**

**IX. DISTRIBUTION:**

Board of Directors     Board Professionals     Service Provider Professionals

**VIII. FORMS AND INSTRUCTIONS:**

**IX. DISTRIBUTION:**

Board of Directors     Board Professionals     Service Provider Professionals

**X. SIGNATURES:**

Ricardo Munoz  
Reviewed by EO Officer

5/23/2024  
Date

[Signature]  
President/CEO

6/7/2024  
Date