

**Nevada Department of Employment, Training and Rehabilitation
(DETR)
Workforce Innovation and Opportunity Act
State Compliance Policy (SCP)**

Policy Number: 2.5

Originating Office: DETR; Workforce Investment Support Services (WISS)

Subject: Youth- Support Services, Needs Related Payment, Incentive Payments

Issued: NEW; Approved GWDB Executive Committee, 11-14-16; Ratified GWDB, 01-19-17

Purpose: To provide the Workforce Innovation and Opportunity Act (WIOA) requirements for Youth Support Services, Needs Related Payments and Incentive Payments.

State Imposed Requirements: This directive contains some state-imposed requirements. These requirements are printed in **bold, italic type**.

Authorities/References: Workforce Innovation and Opportunity Act P.L. 113-128; 20 CFR §681.570&640; 20 CFR §680.900-960; 2 CFR §200; TEGL 3-15; TAG 14-2.

ACTION REQUIRED:

Upon issuance bring this guidance to the attention of all WIOA service providers, local workforce development board (LWDB) members and any other concerned parties. Any LWDB's policies, procedures, and or contracts affected by this guidance are required to be updated accordingly.

Background:

Support Services: A key principle in WIOA is to provide local areas with the authority to make policy and administrative decisions and the flexibility to tailor the workforce system to the needs of the local community. To ensure maximum flexibility, this guidance provides local areas the discretion to provide the supportive services they deem appropriate, subject to the limited conditions prescribed by WIOA. Local Boards must develop written policies and procedures to ensure coordination with other entities to ensure the highest quality, most comprehensive service provision possible; prevent duplication of resources and services; and establish limits on the amount and duration of these services. Local Boards are encouraged to develop policies and procedures that ensure that supportive services are WIOA-funded only when these services are not available through other agencies and that the services are necessary for the individual to participate in Title I activities. Youth supportive services may be made available to participants as indicated in the fourteen program elements listed in 20 CFR §681.460.

Needs-Related Payments are designed to provide a participant with resources for the purpose of enabling them to participate in training services. ETA recognizes that many individuals in need of training services may not have the resources available to participate in the training. Needs-related payments can help individuals meet their non-training expenses and help them to

complete training successfully. According to section 134(d)(3)(B) of WIOA, a participant must be enrolled in a training program described in section 134(c)(3) of WIOA in order to receive needs-related payments.

Incentive payments to youth participants are permitted for recognition and achievement directly tied to training activities and work experiences.

Policy and Procedure:

Support Services (20 CFR 681.570)

Supportive services for youth, as defined in WIOA sec. 3(59), are services that enable an individual to participate in WIOA activities. These services include, but are not limited to, the following:

- (a) Linkages to community services;
- (b) Assistance with transportation;
- (c) Assistance with child care and dependent care;
- (d) Assistance with housing;
- (e) Needs-related payments;
- (f) Assistance with educational testing;
- (g) Reasonable accommodations for youth with disabilities;
- (h) Legal aid services;
- (i) Referrals to health care;
- (j) Assistance with uniforms or other appropriate work attire and work-related tools, including such items as eyeglasses and protective eye gear;
- (k) Assistance with books, fees, school supplies, and other necessary items for students enrolled in postsecondary education classes; and
- (l) Payments and fees for employment and training-related applications, tests, and certifications.

(WIOA sec. 3(59))

The term “supportive services” means services such as transportation, child care, dependent care, housing, and needs-related payments that are necessary to enable an individual to participate in activities authorized under this Act.

NOTE: Needs related Payments are available only to Youth ages 18-24 and enrolled in WIOA youth services.

Support Services Participant Eligibility (20 CFR §680.910)

- (a) Supportive services may only be provided to individuals who are:
 - (1) Participating in career or training services as defined in WIOA sec. 134(c)(2) and (3); and
 - (2) Unable to obtain supportive services through other programs providing such services.
- (b) Supportive services only may be provided when they are necessary to enable individuals to participate in career service or training activities.

Support Service Limitations (20 CFR §680.920)

(a) Local WDBs may establish limits on the provision of supportive services or provide the one-stop center [American Job Center of Nevada] with the authority to establish such limits, including a maximum amount of funding and maximum length of time for supportive services to be available to participants.

(b) Procedures also may be established to allow one-stop centers to grant exceptions to the limits established under paragraph (a) of this section.

Needs Related Payments

As described in WIOA sec. 129(c)(2)(G) and WIOA sec. 3(59) supportive services include needs-related payments. Needs-related payments provide financial assistance to participants for the purpose of enabling them to participate in training and are a supportive service authorized by WIOA sec. 134(d)(3). Unlike other supportive services, in order to qualify for needs related payments a participant must be enrolled in training.

Training Delay (20 CFR §680.960)

Needs-related payments may be paid while a participant is waiting to start training classes provided the participant has been accepted in a training program that will begin within thirty (30) calendar days. Local areas may extend the 30 day period on an exception basis to address appropriate circumstances. *If local areas choose to do so, the availability of such extension and circumstance must be noted in policy. Documentation for the extension must be noted in Management Information System (MIS) comments/case notes, and be kept in the participant's case file. Reference MIS Data and Performance Desk Reference Guide at http://detr.state.nv.us/workforce_investment_pages/workforceinvestment.htm for proper use of the HOLD tab as part of the training delay.*

Youth Incentive Payments (20 CFR §681.640)

Incentive payments to youth participants are permitted for recognition and achievement directly tied to training activities and work experiences. The local program must have written policies and procedures in place governing the award of incentives and must ensure that such incentive payments are:

- (a) Tied to the goals of the specific program;
- (b) Outlined in writing before the commencement of the program that may provide incentive payments;
- (c) Align with the local program's organizational policies; and
- (d) Are in accordance with the requirements contained in 2 CFR part 200.

Monetary payment may be given to a WIOA Youth participant for successful participation and achievement of expected outcomes as defined in the Individual Service Strategy (ISS) upon completion of established benchmarks or upon final program completion. Incentives may be used to retain youth in a program and must be tied to training, education, or work readiness. Such achievements must be documented in the participants file as the basis for an incentive payment. Guidelines for the payment of incentives to youth participants must be described in local policy.

NOTE: Supportive Services may be provided to individuals enrolled in the Youth program and per LWDB policy, for at least one year after the date of exit from the WIOA program, provided the service is necessary to retain employment or continue in a post-exit training program, and

there is a financial need documented in the participant file. Follow-up services may be provided beyond 12 months at the state and LWDB discretion.

SUPPORTIVE SERVICE PROHIBITIONS (2 CFR §200; WIOA sec. 181, 184)

1. Payment toward goods or services incurred or received prior to the participant's enrollment in WIOA is prohibited.
2. Fines and penalties may not be paid with WIOA funds under any circumstances.
3. WIOA funds cannot be used to cover the cost of certain legal fees. *If this type of assistance is contemplated, and as appropriate as per federal regulation, the LWDB must approve by entering a comment/case note into the MIS as appropriate.*
4. Bad debts cannot be paid with WIOA funds; debts meet this definition at the point they are turned over to a collection agency for further action.
5. Interest expense cannot be paid with WIOA resources. Revolving credit payments or other periodic loan payments are normally comprised of both interest and principal.
6. *Payments for real or personal property that bears title (i.e. - automobiles, homes, etc.) cannot be made with WIOA funds.*
7. The purchase of goods or services that are illegal under any federal, state, local, or municipal law or statute cannot be made with WIOA funds.
8. The purchase of tobacco products, alcoholic beverages or firearms is prohibited.
9. WIOA funds cannot be used to pay for union dues.
10. WIOA funds cannot be used to pay deposits, rental or otherwise.
11. WIOA funds may not be used for foreign travel *or training*.
12. Payments for participant memberships, dues and subscriptions are not allowed unless it is a specific requirement of a training program, or necessary and reasonable as a condition of employment.
13. Entertainment costs. Costs of entertainment, including amusement, diversion, and social activities and any associated costs (such as tickets to shows or sports events, meals, lodging, rentals, transportation, and gratuities) are unallowable, except where specific costs that might be otherwise considered entertainment have a programmatic purpose and are authorized either in the approved budget for the federal award or with prior written approval of the federal awarding agency. (2 CFR 200.438, 2 CFR 215, 2 CFR 230)

LWDB Policy Requirements Summary

Each item provided must be documented thoroughly in case notes/Comments and all accompanying paperwork retained in the participant case file. Description must provide enough information to determine what is being purchased or authorized, the price, duration if applicable and narrative documenting that the costs are reasonable and necessary.

Boards Must Have Written Policy Defining the following per 20 CFR §681.570 and TEGL 3-15, unless otherwise stated below:

- Define all Support Service that are to be administered in the local area (reference list at 20 CFR §681.570 which may not be all inclusive), include an acceptable description of each support service.
- Define “necessary to enable an individual to participate” and how the need and rationale will be documented in Individual Service Strategy (ISS) and Management Information System (MIS) comments/case notes.

- Address coordination of available resources in the local area including referral procedures and how it will be documented in MIS Comments/case notes.
- Define how each type of support service will be funded. (WIOA sec. 184)
- Include LWDB limitations on maximum amount of funding and or maximum length of time, if applicable. Policy must include how the established limits will be applied consistently for all participants. (20 CFR §680.920)
- ***Address the procedure for use of MIS Sector Tab. Reference TAG 14-2 http://detr.state.nv.us/workforce_investment_pages/TechnicalAssistanceGuides/TAG_14-2.pdf where applicable.***
- Policy must include the procedure for handling unclaimed gift cards/items used in supplying support services and include a return policy addressing unopened and opened/used items. (WIOA sec. 184)
- Address what support services may be provided once participants have exited and entered follow-up service and include when participants are no longer eligible for support services.
- Address participant training attendance verification requirements before issuing support services.
- Local boards must have written policy and ensure that needs-based payments are made in a manner consistent with 20 CFR §680.930 through 680.970. Unlike other supportive services, in order to qualify for needs-related payments a participant must be enrolled in a training service. The provision of needs-related payments is a discretionary local area activity. The policy must define participant eligibility, any established limitations, determine level of payment, MIS and file data requirements, and applicable limitations.
- Address prohibited items as listed above and as described legislation. (2 CFR 200.100-521, WIOA sec. 181, 184)
- Outline youth incentive requirements in purchasing of, payment of and storage of (i.e. gift cards), per 20 CFR §681.640 and 2 CFR part 200 including eligibility, documentation and MIS data requirements.

NOTE: Best financial practices include validation by signature of the participant for all support service items including receipts of goods.

Participant Case File Requirements

The participant case file must contain at a minimum and per Local Board requirements;

- ***All financial documentation including, quote if any, purchase order/requisition, receipts, time frames if applicable and additional documentation to support the purchase for this participant. (i.e. rental assistance would require some form of documentation to tie the individual to the rental property)***

Required MIS Case Note/Comment

- ***Reference MIS Data and Performance Desk Reference Guide for specific data entry requirements at: http://detr.state.nv.us/workforce_investment_pages/workforceinvestment.htm***
- ***MIS comments/case notes sufficient to determine what was purchased, from where, the cost, for what purpose the purchase was made and the date range, if applicable, it represents.***

- *The need and inability to obtain this service elsewhere in the community for the support service/needs related payment service.*
- *Co-enrollment details as to shared costs and services if any.*
- *Purchase Order/Invoice details sufficient to determine the need for the purchase, what was purchased, from where, time frames and costs.*
- *Incentive details as to the recognized achievement, monetary value and financial documentation.*

Sector Tab

Reference LWDB policy and TAG 14-2 for proper use of this tab.