

AREA 8 WORKFORCE DEVELOPMENT BOARD

Workforce Innovation and Opportunity Act

Policy number	150
Subject	Waivers for Implementation of the Comprehensive Case Management and Employment Program
Ohio WIOA Policies addressed	WIOAPL-17-04
May apply for waiver	State
Board approved	Executive Committee approved 2/22/18
Effective date	12/21/2017-6/30/2020
Revisions approved	

In response to state policy WIOAPL-17-04, Waivers for Implementation of the Comprehensive Case Management and Employment Program I, dated January 22, 2018 and effective December 21, 2017 through June 30, 2020, the Ohio Area 8 WIOA Workforce Development Board (WDB) enacts the following policy:

I. Adoption of the State Policy: WDB adopts the waiver policy as set forth in WIOAPL-17-04, attached hereto and incorporated herein, and under its direction, set forth the following parameters.

II. Population to be Served: Youth, up to the age of 24 years, whether In-School or Out-of-School.

III. Enrollment: Whenever possible, Youth shall be co-enrolled in Workforce Innovation & Opportunity Act (WIOA) youth programs and Comprehensive Case Management Programs (CCMEP).

IV. Purpose: Area 8 shall have the opportunity to better serve youth by utilizing all available funding with the intent to improve the success rate of meeting the federal WIOA requirement that 75% of youth expenditures be for Out-of-School Youth.

V. Impact: Under this waiver, Area 8 youth providers shall coordinate with CCMEP lead agencies to utilize all available funding. Youth providers may now utilize Individual Training Accounts (ITAs) to serve In-School youth pursuant to WDB ITA policies and forms. Being mindful of the federal spending requirement that 75% of WIOA youth expenditures must be for Out-of-School Youth, the co-enrollment will provide the State of Ohio a better opportunity to satisfy the expenditure threshold and removes the burden of meeting the threshold expenditure from the local areas and distributes it the State of Ohio into one comprehensive state-wide responsibility to support. state-wide reporting.

VI. Reporting: Each youth provider shall be responsible for tracking youth expenditures within in state parameters and reporting same to the WDB for the compilation of a comprehensive Area 8 report.

Executive Committee Action Item

Date: 2/22/18

Motion made by: Carol Knapke

Motion seconded by: Ellen Eager

Vote 4 aye 0 nay 0 abstain 0 motion carries 0 motion rejected

WIOAPL 17-04 (Waivers for Implementation of the Comprehensive Case Management and Employment Program)

Workforce Innovation and Opportunity Act Policy Letter No. 17-04

January 22, 2018

TO: Local Workforce Development Board Directors Comprehensive Case Management and Employment Program Lead Agencies OhioMeansJobs Center Operators

FROM: Cynthia C. Dungey, Director

SUBJECT: Waivers for Implementation of the Comprehensive Case Management and Employment Program

I. Purpose

The purpose of this policy is to provide guidance on the use of the United States Department of Labor (USDOL) approved waivers of Workforce Innovation and Opportunity Act (WIOA) laws and regulations.

II. Effective Date

December 21, 2017 through June 30, 2020

III. Background

The Comprehensive Case Management and Employment Program (CCMEP) was created to transform the network of human services and workforce programs across Ohio. To help Ohioans move beyond poverty to meaningful employment, Ohio has modernized its system by integrating youth programs funded by Temporary Assistance for Needy Families (TANF) and WIOA to create a new way to work.

By integrating WIOA and TANF youth programs, Ohio may more effectively utilize and leverage federal dollars from these funding sources to support the needs of customers who are eligible for these separate funding sources. Braiding funds allows the WIOA youth program to provide more comprehensive services to participants while maximizing partner resources to assist youth.

To allow more flexibility with WIOA youth program funds to implement CCMEP, Ohio requested the following waivers:

1. Waiver of section 129(a)(4) of the Workforce Innovation and Opportunity Act (WIOA) and 20 C.F.R. 681.410 which requires that the local workforce development area (local area) expend at least 75 percent of local area WIOA youth funds to provide services to out-of-school youth. This waiver allows the State to satisfy the 75 percent expenditure threshold for out-of-school youth using a combination of WIOA and Temporary Assistance for Needy Families (TANF) funds.

2. Waiver of section 129(a)(4) of WIOA and 20 C.F.R. 681.410 to allow calculation of the 75 percent out-of-school youth expenditure threshold at the State level rather than local level; and
3. Waiver of 20 C.F.R. 681.550 to allow local workforce development boards (WDBs) to use individual training accounts (ITAs) for in-school youth.

On December 21, 2017, the Ohio Department of Job and Family Services received a letter from the United States Department of Labor (USDOL) fully approving Ohio's requested waivers. These waivers are approved through Program Year (PY) 2019 or June 30, 2020, consistent with the approval period of Ohio's four-year WIOA state plan.

IV. Requirements

A. Waiver of the requirement that the local area expend at least 75 percent of local area WIOA youth funds to provide services to out-of-school youth.

Under CCMEP, with its emphasis on co-funding to benefit a more cost-effective service delivery, the number of disconnected youth that can be served will increase, particularly given the large infusion of TANF dollars. This will ultimately allow WIOA youth dollars to have a further reach and greater impact in local communities. Additionally, by allowing the calculation of the expenditure rate to be statewide, there would be more flexibility amongst all the local areas to serve the population of participants unique to that local area.

To recognize the influx of TANF dollars being invested in the WIOA out-of-school youth population under CCMEP, the Office of Workforce Development (OWD) will include the amount of TANF dollars spent on co-enrolled WIOA out-of-school youth during a program year (PY) both the numerator and denominator of the out-of-school rate calculation. The formula below defines the calculation to be used beginning with PY 2016 funds:

Out-of-School Youth (OSY) Rate Calculation Under Waiver Authority		
WIOA OSY expenses		TANF spent on co-enrolled WIOA OSY
Total WIOA OSY + In-School Youth expenses	+	TANF spent on co-enrolled WIOA OSY

To align TANF spending to a WIOA program year, the time period for CCMEP TANF expenses to be included in both the numerator and denominator will be the TANF expenses for co-enrolled out-of-school youth reported in the twelve months preceding the end-date of the WIOA Youth funds at the local area level. For example, PY16 Youth funds are available to local areas until June 30, 2018, so the calculation will include TANF dollars invested in local services benefitting out-of-school youth from July 1, 2017 until June 30, 2018.

The example below compares the out-of-school youth rate calculation under current WIOA law to the proposed waiver flexibility for a local area that spent

\$400,000 of its \$600,000 in PY16 WIOA Youth program funds during the two years of availability as well as \$200,000 of its CCMEP TANF funds spent during the second year of the Youth grant on services for out-of-school youth who are co-enrolled:

<i>Of \$600,000 in</i>		<i>The area also invests</i>	<u>WIOA</u>	<u>TANF</u>	
<i>Youth spending,</i>	<u>\$400,000</u>	<i>\$200,000 of its TANF</i>	<u>\$400,000</u>	+	<u>\$200,000</u> = <u>\$600,000</u>
<i>\$400,000 was</i>	\$600,000	<i>Funds on co-enrolled</i>	\$600,000	\$200,000	\$800,000
<i>Spent on OSY:</i>	= 67%	<i>OSY WIOA youth:</i>			= 75%

To determine the amount of TANF funds spent on co-enrolled WIOA out-of-school youth, OWD will pro-rate the CCMEP TANF expenditures in a program year based on the number of participants served in each CCMEP TANF population during that year (i.e., served with TANF funds only, co-enrolled in WIOA in-school youth, and co-enrolled in WIOA out-of-school youth). Only the proportion of CCMEP TANF expenses for the program year attributable to co-enrolled WIOA out-of-school youth based on relative participant counts in the three categories will be included in the out-of-school youth rate calculation.

B. Waiver to allow local workforce development boards (WDBs) to use individual training accounts (ITAs) for in-school youth.

The intent of using ITAs in the WIOA out-of-school program is to expand training options, increase program flexibility, enhance customer choice, and reduce paperwork. Ohio wanted in-school youth to also have this option. This waiver encourages this population to seriously look at career pathways and in-demand occupations and empowers them to make their own decisions.

Under this waiver, local WDBs and CCMEP lead agencies may use ITAs for in-school youth. Local WDB directors should contact the lead agencies and/or youth program providers to coordinate this activity and ensure local area policies pertaining to ITAs will be adhered to.

By using an ITA, the local WDB does not have to competitively procure training services funded by WIOA for in-school youth. However, training services must still be provided in a manner which maximizes informed consumer choice in selecting an eligible training provider.

This waiver expands the population of individuals who may receive an ITA. Therefore, the requirements for providing an ITA found in Workforce Innovation and Opportunity Act Policy Letter (WIOAPL) No. 15-11.1, Use of Individual Training Accounts, and paragraph (E)(4)(a) of rule 5101:14-1-02 of the Administrative Code will also include in-school youth in addition to out-of-school youth.

V. Technical Assistance

Ongoing support, guidance, training and technical assistance on workforce development area designation, subsequent designation, or redesignation requirements, including stakeholder consultation, are available to all local areas.

Requests for technical assistance may be sent to ODJFS, Office of Workforce Development: WIOAQNA@jfs.ohio.gov or CCMEPQNA@jfs.ohio.gov.

VI. References

Workforce Innovation and Opportunity Act, §§ 129 and 189, Public Law 113-128.

20 C.F.R. §§ 679.600 - 679.620, 681.410 and 681.550.

ODJFS, Workforce Innovation and Opportunity Act Policy Letter No. 15-11.1, Use of Individual Training Accounts, (January 8, 2018).