

POLICIES AND PROCEDURES
For Implementation of
WIA TITLE I-B FORMULA FUNDS, RECOVERY ACT FUNDS,
AND OTHER FUNDING SOURCES AS MAY BECOME AVAILABLE

KCDEE & River Valley Workforce Investment Board

POLICY & PROCEDURES MANUAL RELEASE

To	All KCDEE Grantee Staff, and Sub-Recipients	SUBJECT AREA	Needs Related Payments
From	KCDEE Administration		
Issue Date	June 17, 2009	EFFECTIVE DATE	July 1, 2009

SUBJECT: NEEDS RELATED PAYMENTS

PURPOSE:

To make Needs-Related Payments available to eligible WIA participants, as well as establish local policy with fair and equitable procedures for dissemination of WIA Title I-B formula funds, Recovery Act funds, or other funding sources as may become available for Needs-Related Payments. This includes, but is not limited to the determination of need, setting appropriate financial limits, and creating policy related to the issuance of Needs-Related Payments (NRPs). Policy direction is necessary in order to ensure that all Grantee staff and sub-recipient staff make fair, consistent, and equitable determinations for customers, and to establish and implement sound administrative procedures.

REFERENCES:

Workforce Investment Act of 1998, Public Law 105-220, Section 134 (d)(4) and (e)(3)(A) – (C);
WIA Final Rules, 20 CFR Part 663-815 through 663-840;
WIA Policy letter No. 07-PL-35, Needs-Related Payments
WIA Notice No. 08-NOT-35, Revised Income Guidelines for Determining Low Income Status for WIA Eligibility (5/12/09);
WIA Notice No. 08-NOT-36, Revised Poverty Guidelines for Determining Eligibility (income eligibility and Needs-Related Payments);
WIA Policy Letter No. 06-PL-28, Local WIA Incident Reporting Responsibilities, (5/4/07)
DCEO Policy No. 08-ARRA-01, Change 1 – WIA Youth Programs Funded Under the Recovery and Reinvestment Act of 2009.
LWIA #5 Policy on Supportive Services, modification date 6/1/09.

BACKGROUND:

See DCEO Policy 07-PL-35 or any subsequent changes or modifications.

POLICIES AND PROCEDURES
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POLICY:

LWIA #5 will make Needs-Related Payments available under WIA Title I-B formula funds as well as the Recovery Act funding stream. LWIA #5 will implement the current Needs-Related Payment policy (referenced above) as issued by the Department of Commerce and Economic Opportunity (DCEO), or as modified by DCEO. Upon issuance of a DCEO modification or change to WIA Policy 07-PL-35, LWIA #5 will immediately incorporate such changes into the LWIA's policy and procedures.

LOCAL POLICY

Definitions –

LWIA #5 Grantee staff and sub-recipient staff will adhere to the definitions found within DCEO Policy Letter 07-PL-35 and implement the eligibility, payment determination, administration, oversight and fraud requirements as set forth in the afore-mentioned DCEO Policy Letter.

Eligibility –

LWIA #5 Grantee staff and sub-recipient staff will utilize the eligibility criteria outlined in DCEO's WIA Policy No. 07-PL-35 for Adults and Dislocated Workers. Out-of-school youth may be eligible to receive Needs-Related Payments only if they are co-enrolled as an Adult for such purpose and meet the needs determination criteria. (Needs related payments are not an allowable supportive service for in-school youth.) As stated in the DCEO Policy 07-PL-35, Needs-Related Payments are not intended to meet all needs of a participant enrolled in training and are limited to participants who need assistance to complete their long-term training plans. For the purpose of this policy, long-term training plans shall be defined as

If these eligibility requirements are met, individuals may be awarded Needs-Related Payments (NRPs) from WIA formula funding or Recovery Act funding in accordance with guidelines found herein. In accordance with DCEO policy, Needs-Related Payments may begin no earlier than 30 days from the first day of training for the purpose of enabling the participant to participate in programs of employment and training services.

The Participant must be enrolled in full-time training, which LWIA #5 is defining as credit-class instruction of 12 credit hours or more per semester. Full-time may need to be further defined by Grantee staff on a case-by-case basis for programs that do not operate on a credit hour or semester basis.

Payment Determination –

1. The level of the Needs Related Payments (NRPs) made to Adults may not exceed the equivalent weekly amount of the LWIA's annual 100% Lower Living Standard Income Level (LLSIL) for a family of one. Using this requirement in the current DCEO policy on Needs

POLICIES AND PROCEDURES
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WIA TITLE I-B FORMULA FUNDS, RECOVERY ACT FUNDS,
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the Poverty Guidelines for Determining Income and Needs Related Payments, LWIA #5 will set a maximum flat rate of \$200 per week for students that meet the criteria set forth herein and provide the required attendance and participation documentation. This flat rate figure will be reviewed at the time the guidelines adjust, and will have the same effective date as stated in the latest WIA Notice.

For Dislocated Workers, Grantee staff and sub-recipient staff will adhere to the payment criteria set forth by DCEO in Policy 07-PL-35, or any such modified version issued by the State.

As a part of the payment determination, Grantee and sub-recipient staff will utilize the same procedures used in the Supportive Services policy for resource coordination and referral procedures, assessment of needs determination, disqualifying factors, approval process, submission and tracking process and forms, and other related concerns. (See supportive services policy modified 6/1/09, approved 6/17/09.)

Administration and Oversight -

LWIA # 5 will utilize the same forms as those issued for implementing regular supportive services. In addition, Grantee and sub-recipient staff utilize the recommended forms included in DCEO WIA Policy 07-PL-35, or as modified by the State, as well as maintain the following documentation on each eligible NRP recipient:

- a. A copy of a UI entitlement decision or confirmation of UI benefits being exhausted;
- b. A copy of request for training classes for each period of training (quarter, semester, block, class, etc.);
- c. Verification of enrollment/registration, participation, grades, and completion of training classes (confirmation from Registrar's office and course instructor);
- d. A signature by the participant attesting to his/her understanding of NRP requirements and instructions;
- e. All eligibility determinations must be documented; and
- f. A comprehensive reporting system of all NRP's will be developed and maintained by the Grantee.

Fraud -

1. To prevent fraudulent payment activity, the LWIA Grantee and sub-recipient staff must:
 - a. Perform a cross check with UI to ensure that participants are not receiving UI, State Training Benefits, TRA, and NRPs at the same time;
 - b. Verify training participation before payments are authorized; and
 - c. Report fraud when discovered to begin the collection process from appropriate sources.
2. In the event of the discovery of fraudulent activity, all payments to the fraudulent party will cease and all funds paid will be recovered.

POLICIES AND PROCEDURES
For Implementation of
WIA TITLE I-B FORMULA FUNDS, RECOVERY ACT FUNDS,
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3. All cases of fraud or suspected fraud will be forwarded to the appropriate legal authorities for prosecution per WIA Policy Letter No. 06-PL-28, or subsequent change notices.
4. NRPs have been classified as non-taxable income by the Internal Revenue Service (IRS).

EXPIRATION

Ongoing based on the life of grant fund sources referenced herein, or until otherwise modified.