

WIAB 04-04

DATE: August 20, 2004
TO: All Local Workforce Investment Areas
FROM: Cheryl A. Brush, Chief, Workforce Systems Bureau
SUBJECT: Allowable Federal Financial Assistance for Religious Training Activities under WIA

Recently, the U.S. Department of Labor announced final regulations to eliminate barriers for participants seeking religious training from faith-based organizations under the Workforce Investment Act of 1998 (WIA).

As of August 11, 2004, WIA Title I financial assistance may now be used to train participants in religious activities *only* when the financial assistance is provided *indirectly* through the use of Individual Training Accounts or ITAs. This type of indirect support does not violate WIA's regulations as long as program participants are given a genuine, independent choice about where to direct their aid. This means, for example, that program participants may now choose to use their ITAs for training in approved ministry or religious counselor programs as long as all the other WIA program requirements are met.

However, the rules regarding the use of WIA Title I financial assistance for the *direct* support faith-based organizations have not changed. It is still against WIA's regulations to allow Title I financial assistance to be used to directly support inherently religious activities. Inherently religious activities include, for example, activities such as worship, prayer, religious instruction, proselytization, or administering communion. Direct support occurs when Title I financial assistance is given directly to a faith-based organization by a WIA grantee.

Faith-based training providers seeking to offer their training services to participants under WIA must still adhere to all other program requirements. This includes applying for admission to the State's Eligible Training Provider (ETP) list, which, in many cases, requires registration with the State Department of Education as a proprietary school. Local Workforce Investment Boards (WIBs) will continue to make the determination on whether a proposed course of study is appropriate for placement on the State's ETP list. Program staff should forward requests from providers for information regarding the ETP list directly to their local WIB staff.

Please contact Rico Barrera at (208) 332-3570 ext. 3316 or Bill Reed at ext. 3339 if you have any questions.