**WorkforceGPS**

**Transcript of Webinar**

**WIOA Performance Accountability**

**Core Programs, Part 2**

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LAURA CASERTANO: Again, I want to welcome everyone to today's WIOA Performance Accountability webinar, and I'm going to turn things right over to today's moderator, Karan Staha. She's with the Employment and Training Administration. Karen?

KAREN STAHA: Thank you, Laura. Good afternoon, everyone. Good morning to those of you in Alaska and Hawaii, if you've joined us from those fine states.

We're delighted to have so many of you on the webinar today. Looking at the poll, it looked like the majority of you participated in our webinar last month on WIOA performance accountability, so welcome back to you.

Today's presenters include Luke Murren and Cesar Acevedo from the Employment and Training Administration of the Department of Labor; Jay LeMaster from the Department of Education's Office of Career, Technical, and Adult Education; and Melinda Kaufman from the Department of Education's Rehabilitation Services Administration.

We're doing part two, so you see the objectives of what we hope to cover today, focusing on performance reporting timeframes and requirements; the different data collection instruments that we will be using; the PIRL for DOL, RSA-911 for the Rehabilitative Services Administration, and the NRS for the Office of Career, Technical and Adult Education.

I will say when you're looking at the reporting requirements you may see a joint PIRL. We use one joint PIRL and we explained this last time, but here's a refresher. The joint PIRL includes all the data elements necessary to calculate the primary indicators of performance for WIOA.

And then ETA is using the PIRL, which is the participant individual record layout. It's the successor to the WIA standardized record data, or the WIASRD. The PIRL is the layout where you collect the individual information.

We'll also go over participant and reportable individual definitions; talk a little bit about the statistical adjustment model and negotiations with that; and then probably my least favorite topic but one that is very important to all of us, the topic of sanctions, a new provision in the statute – at least in its application to everybody.

So to follow up to the part one, we got over 150 questions from you all. We've tried to go through and answer some. We don't want to take all the time today, so I'm going to just highlight a few.

The one that is probably most prevalent that was asked – and numerous times – is people are asking for our guidance. "Where's the written guidance based on the statute and regulations that were published in June?" I guess the actual official date of the regulations is now – when they became effective was in October – October 19th, I believe.

We are working on that guidance. It will be joint guidance from the Departments of Education and Labor, and we plan to publish it in December of this year. It will be the holiday gift to everybody. That will include an overview of the definitions and the methodology for calculating each of the primary indicators; the operational parameters for each of the indicators.

For each of the six it will talk about categories of enrollment, reportable individual participant, and date of program exit; self-service and informational activities; period of participation; incumbent worker training for Title I programs; and calculations related to the determination of sanctions.

It also has 10 different attachments, so we believe it's fairly comprehensive and we anticipate that it will be very useful for you all as you continue to fully implement the performance accountability provisions of WIOA.

All right. With that I'm going to – let's see. If there's any other questions – as I said, there were some questions of when you look at the definitions and further operations – let's see. I think that was the number one question, I would say. There are a number of other questions, so we'll be looking, and time permitting at the end of this presentation we will then delve into the questions from the last webinar and this webinar.

We will continue to compile the questions, and as we have the answers ready, we will make them available. We're working out the details on exactly how we make them available to you, but we will promise to get those responses out to you.

All right. With that I'm going to turn it over to Luke Murren, who's going to start talking about performance reporting in the reporting timeframe.

LUKE MURREN: All right. Thank you, Karen. I have a few topics here to talk about.

First we want to talk a little bit about what are the required reports WIOA gives to us. So anyone who's familiar with the law, the regulations, the information collection request that was put out, all this information in detail is in there. But just for convenience sake we wanted to put together a quick list, that you can see here in front of you.

And basically what we're looking at is we are requiring a state annual performance report and a local area performance report for Title I programs. Those reports look very, very similar. We've got a couple questions on that saying, did we get the right report? Yes, you did; they look very, very similar on purpose. We're hoping that that decreases the burden for you all, trying to get the states and local areas to report on the same information in the same way.

There's also a few Title-specific reports, and specifically looking at the PIRL submissions for Title I and III that Karen mentioned, the individual record data in the PIRL format; the RSA-911 report for Title IV, and the submission of the NRS aggregated tables for Title II.

In addition we have the NRS data quality checklist for Title II and then more Title-specific reports of the eligible training providers for Title I. Kind of note here – have not yet been approved and we'll get into this in a little bit – but a soon-to-be-announced narrative portion of the annual report.

And before I move on I want to go back to the very first thing here. Again, anybody who looks at the regulations noted that in there it notes that the annual performance report will be due in October. While this isn't 100 percent official right now, collectively the different core programs are looking around the middle of October – around October 15th – to set that due date. That would be October 15th, 2017 for the first annual report, based on PY 2016 data.

So the next part is the timeframes. So now that we know what reports are due, when are they due and how are they due? How do I calculate them?

In terms of the how, the counts and outcomes are based on what we call a first-available approach. Anybody familiar at least with DOL programs I can speak to, this is the way that we currently collect the data.

In other words, there's two different ways we could have done it. We could have waited until the most lag measure was available and done – a common cohort of people based on all of those. The cons of that, of course, is that for some of the measures they're available sooner, especially for your measurable skill gains, which is not an exit-based measure. You'd be waiting a lot of extra time for some measures that you don't need to wait for.

So what this leads to is kind of a staggered approach, if you will, or different measures that have different lag times, are available at different times in different reports. It's hard to describe without being visual, but we do have in the joint ICR package a document that lays out all these cohorts that are supposed in reporting. So I would urge everyone to go there and review that.

One question we've been getting in a lot is in terms of the WIA to WIOA crossover, how that works, and if I have old WIA participants from a year ago, are they still included in the WIOA counts and file now? The short answer there is no if they have exited.

For our programs we are looking at kind of a threshold, a cutoff, if you will, around that 6/30 to 7/1 timeframe of 2016; meaning that anyone who exited before then should be reported through the old systems. Anybody who is a new WIOA participant or exiter, anybody who's participated or exited on or after 7/1, that is the cohort of people we're looking to be included in this new reporting scheme.

A couple other notes in terms of the timing, is that the quarterly reports are going to be due 45 at the end of the quarter. So for example, for this quarter we're closing in on it, November 14th as the due date, at least for Title I/III programs; and it will follow a similar structure for Title I and III that we've been using in the past, 45 days after.

Again, we talked about the annual report being due October 15th or thereabouts. And lastly to not here is just that all of the timeframes and the reporting templates are also in the information collection requests that are on our respective websites. So again, I urge you all to take the summary here and go, if you want to look and see a little bit more detail, go to our website and check those out there.

So next I want to talk a little bit about data availability, and this going into a little bit what I just mentioned, about how what's expected for the reports. When you generate your reports for the first year or two, what are the expectations there that you all should be seeing and we all should see?

And hopefully this illustration will lay that out a little bit. What we have here is basically by core indicator of performance going down the side of the rows, when is that data going to be available based on the annual reporting period. And if it's not available it's based on two things.

It's based on the lag that's inherent in the actual measure – for example, if you are looking at the second quarter employment indicator, obviously we have to wait two quarters after exit before we can get that data available to us.

Then you have what we've been giving is about a two-quarter lag for wage record availability. So when you add those two together, that's really what forms the availability here. So for example, keeping on the second quarter employment rate, looking at the first row there, for PY '16, because of those two pieces of data lag we will have no data available at all in PY '16 on that report.

So when you go to submit that report next October, we are fully expecting there to be blanks for that particular indicator, as you can go down – actually for all the indicators except for that measurable skill gains because it is not exit-based and is participation-based.

So as we move forward we start getting a trickling of the data, if you will. The second quarter measures, the employment, the median earnings, they're available fully in PY – credential and the employment rate, those are only about half available. The first quarter we can start getting that is about halfway through the program year for that report.

So that's why we have a little note down at the bottom; PY '18 is the first year where we're going to have full WIOA data available on all six core indicators. So we just want to make sure that everyone saw this and that we're on the same page with you all in terms of what to expect when these annual reports come in and what data will be there and data will be missing.

So for the PY '16 report there's going to be a lot of blanks, and we're anticipating that. We're looking at participants, exiters, and measureable skill gains. We're not going to have any of their outcomes yet available. So when you go to fill out your tables or generate your reports, whatever the case may be, be aware that you will be getting a "hole-y" report with a lot of blanks in it, and that's OK. We just want to go over that at this point.

So want to talk a little bit about the Title-specific reporting requirements. Since I'm speaking now we'll go ahead and I'll talk about the DOL-specific reporting requirements, and then we'll turn it over and let some of the other folks here talk about their Title I programs.

Some from the DOL perspective we are building an integrated performance system that anyone that is familiar with EDRBS, the process overall will be very, very similar in terms of the individual record file will be uploaded into the system; edit checks will be performed; the system will automatically generate the quarterly and annual reports – that's the second bullet there – that will automatically be done; and at that point you will go in and certify those reports, verifying the accuracy and validity, and that's it.

So just like any new project there are different phases. Phase one of this particular project was to get that core functionality up and running, and it is up and running. And anybody who has been on some of the webinars we've been doing here in the past week or so on the integrated performance system has seen that, seen the demo of it.

It is live and available. That is how at DOL we will be collecting the WIOA performance data, will be through that system. We've also got a couple questions in the past on if states should still be submitting files into EDRBS as well and do reporting. The short answer is no.

We will be putting out some sort of formal written note, guidance, or FAQ shortly. But in the interim you do not need to submit anything into EDRBS right now except for the job opening report under Wagner-Peyser. That generates the 9002E report. That will eventually be built into the new integrated performance system. It's not yet.

So in the interim, because the definitions and requirements haven't changed from that report, we're still utilizing EDRBS for states to be able to submit that particular report. But in terms of submitting a WIASRD or any other file - job seeker files, Wagner-Peyser – you should not be doing that through EDRBS right now.

A couple other things. We're talking about submitting the PIRL; we wanted to talk a little bit about what is the PIRL. Karen mentioned the participant individual record layout, how they work and what are the differences there and how it integrates in with the joint PIRL.

So as you know, the Department of Labor and the Department of Education collaboratively submitted and published the joint PIRL, which is the 9170. That has 76 data elements. Those elements are the joint elements that are just between our six core programs. That is not a reporting requirement by itself.

We got a lot of questions on that. So from a DOL perspective, instead, you should be reporting on the full DOL-specific PIRL, which is the 9172. Now, there also has been some confusion there in terms of do I have to submit all 467 PIRL elements when I am an adult program? The answer is no, you do not.

It you go into the integrated performance system, you'll notice that there are specific funding streams that you can pick so you don't have to submit the full PIRL necessarily for every program. But there are additional values or elements that are found in the full PIRL for each program that's outside of the joint PIRL.

So just like the WIASRD was, the way you can tell which elements do I have to submit, if you look at the program in question there'll be an "R" for "required" underneath that column. Those are the elements that have to be submitted for each of those programs, respectively.

Lastly here, just want to touch on the fact that – mentioned this earlier – the integrated performance system will be aggregating, calculating all of the outcomes and all of the performance quarterly and annual reports for you. So all you have to do is submit the PIRL and that calculation is done for you here.

So at that point I think we've covered what we've needed to from the DOL perspective. I'm going to turn it over to Melinda, who's going to talk a little bit about the specifics behind the RSA data reporting.

MELINDA KAUFMAN: Great. Thanks, Luke.

So RSA and the RSA-911, we're on a little bit of a different trajectory than the Title I, Title II, and Title III programs. We don't have our processes fully fleshed out yet Luke does with his DOL programs.

The RSA-911, the first report that will due on the new WIOA standards, won't be until November 15th of next year for PY 2017, the first quarter.

So what we have talked about so far and what we're saying publicly, we'll be expecting a comma delimited text file following RSA-911 structure in numerical order. That will be uploaded via a portal on the RSA website. We've just hired a new IT specialist a couple weeks ago who's working with our web developers on the portal, so we hope to have more information, more specifics out to you as far as the structure of the files and the web utility itself.

We'll also be asking our state partners to help us test our upload system in the summer of 2017. This is not only so we know that our database is OK and without any kind of errors or bugs in it, but also to ensure that your file structures were developed according to spec and there aren't any bugs or quirks in your files; so that once we do have our first data file due we aren't finding those errors then, we've already fixed them and addressed them previously.

Something else we get a lot of questions on would be our edit and validation checks. Previously RSA had provided an edit-checker tool to see. We will not be providing that tool in the future. We will be providing a list of all of the edits that we will be running and we expect that your file will come in clear of those edits.

We've got a pretty solid draft of that right now and we're working with a few states to test that over the next couple of months and then we'll make it available on our website for everyone to use.

OK. As far as the 911 – the 911 contains 393 data elements, including the common ones found in the joint PIRL. We issued the RSA-911 a couple weeks ago in Policy Directive 16.04. You'll want to make sure that you've downloaded that version and are using that version of the RSA-911. We did make some non-substantive technical corrections (to the ?) version that was issued in June, so please make sure that you've downloaded the version with Policy Directive 16.04 and are using that in your operation.

OK. Also, the RSA-911 was structured to include elements by groups at the general time in which those are reported, so we have them chunked by those that are reported at application, at IPE, at exit, at employment outcomes, those types of general categories. So it's important that we're reporting the data elements at the time that we're supposed to be collecting them.

And also, RSA will be aggregating and calculating the indicators of performance that VR is going to be using – that VR submits and will be using in their state reports; much similar to what DOL is doing. And we'll try and work with DOL to make sure that what we're doing is similar to what they're doing, since they're a good bit further down the road than we are. We'd like to have some consistency between our programs.

And I'll turn it over to Jay now.

JAY LEMASTER: OK. Thank you, Melinda. Hi, everybody. This is Jay LeMaster with OCTAE.

In the national reporting system for adult education – or the NRS, as we call it – participant-level data is collected at the state level and then it's reported as aggregate data in the NRS tables at the federal level. So although the NRS tables do not duplicate the data collected in the joint statewide reporting template they do contain common data elements that are found in the joint PIRL.

I saw a question, somebody asked what does the PIRL stand for? It's the participant individual record layout.

And so this data – for example, the outcome data on the NRS tables talk about what might be a common data element. The outcome data on NRS tables will be reported using the same race and ethnicity categories as defined in the PIRL.

And what we're doing right now is we're modifying, updating the national reporting system, the database that we use to report aggregate data. We're modifying the table, making conforming changes so that we can be ready to collect the data next year.

The first table that people will see when they go into the National Reporting System database is they're going to see the joint statewide reporting template. And just to be clear, the performance data for Title II – or – (inaudible) – program – will be reported directly to us, the Office of Career, Adult, and Technical Education on an – (technical difficulties, crosstalk).

We're going to change gears now to another performance accountability topic, which is a new concept for all the core programs, and it's about the difference between a participant and a reportable individual.

The image that you see here shows how the two categories relate to each other. But essentially more things have to happen in order for a person to move from being a reportable individual to a participant. What that means is they need to meet certain programmatic requirements for the program that they're enrolled in.

For example, a person in adult education has to have at least 12 contact hours to be considered a participant. But the key difference between a reportable individual and a participant is that reportable individuals are not included in performance calculations for the primary indicators of performance, and there's no requirement for the collection or reporting of outcome data for reportable individuals.

You see here on this slide that there is that data element that must be collected for everyone, and that's the data program entry, which is PIRL data element 900.

And now, talking a little bit about negotiations and how that happens. Earlier this year the departments conducted negotiations to set the expected levels of performance targets for the new WIOA indicators that went into effect on July 1st of this year. Each state program negotiated with the federal agency responsible for their program.

So for example, state Title I programs negotiated with the Employment and Training Administration. State Title II programs negotiated with our office, the Office of Career, Adult, and Technical Education. And what you see on this slide are the elements that need to be considered when conducting these negotiations. Many of these elements are probably already familiar to many of you.

But the second item on this list requires the use of an objective statistical adjustment model which the Department of Labor actually used earlier this year during the negotiation process. Cesar Acevedo's going to help us understand the model a little bit better on the next slide. Cesar?

CESAR ACEVEDO: Thanks, Jay. Hi, everyone.

So as Jay mentioned, PIRL requires the use of a statistical adjustment model, and DOL is currently the only partner using it. We have developed a fixed-effect model to estimate the state-level performance outcomes. RSA and OCTAE, they're going to be phasing them in as the data becomes available, so we've established a two-year threshold for where we think that that data will be viable and can be used to produce an accurate model.

A summary of the model as it stands now is available in Attachment 2 of our TEGL published this last summer, at 26-15. We also published a full description. It's up to 115 pages. So if the summary doesn't satisfy your statistical needs the full version is out there.

Here at DOL we used the model to negotiate for most of the measures. We had existing WIA records to support models for both employment indicators in the second and fourth quarter; the median earnings indicators; and credential attainment.

We also used the quarterly census of employment and wages and local area unemployment statistics from BLS to capture the effects of differing state economies within the model. That was because the statute calls out for those participant characteristics and the economic conditions in which they were served, so we had to satisfy that requirement.

For Titles I and III, we were able to simulate the WIOA outcomes using their existing WIA and Wagner-Peyser individual records. We went back to 2005 to create a pretty substantial 10-year database for those WIA records; and we went back to 2012 for Wagner-Peyser, which is the oldest individual records we had available.

So we published those results of the statistical adjustment model. We created a tool for our state grantees so that they could adjust the population characteristics; they could adjust for expectations in their economies; and all those things would utilize the model and create different performance forecasts.

We also expanded the model to help states with their negotiations with their local areas, so we developed a similar tool with the same features. That's also available on our performance website.

So up next for the statistical model we plan on updating it with the latest data from BLS and the latest participant records from PY '15 on WIA records. And beyond that, the model will go through revisions as far as variables and what worked and what didn't in the first round. From there, I'll turn it back to Jay and he'll talk about how sanctions will be calculated.

MR. LEMASTER: OK. Thank you very much, Cesar. So what we're looking at here is a table to help us understand how sanctions are going to be determined or calculated or performance, really, for the purposes of determining sanctions if they're appropriate. And on this chart – on this table, we see a square for every intersection where a program intersects with an indicator.

So for example, if you look at the upper – I'm going to see if I can get this – so we look at this square up there, that's for Title II adult education, employment in the second quarter. So what the program would do is – or what we are going to do is populate that with the performance that the state reports for that indicator for adult education and for every other program, they're going to do that for these same squares.

One thing to note is that here, if you look at the bottom, these squares here at the bottom represent the performance of the program across all of the indicators and then these squares over here on the right-hand side, they represent performance for all of the programs across the indicator. So again, this square right here would be for adult educations, performance across all of the indicators and then this square up here is the performance of employment in the second quarter, but across all the programs.

And to help us sort of understand, so we're looking at those two. So the next slide we're going to be looking at is going to really be dealing with these boxes here on the right and these boxes here down at the bottom. Let's take a look at the next slide. The financial sanctions are going to be based on data that's going to be reported for two consecutive years, basically, three scenarios where sanctions would be applied and that would be if the state was not able to meet 90 percent of the negotiated target for that – for the core program.

And the next scenario is if the state could not meet 90 percent of the overall indicator score for the indicator. So as we were looking on the previous slide, the rows on the bottom – or the boxes at the bottom of that chart would apply to this first scenario and the boxes on the right-hand side of that table would be applying here to this second scenario. And then the third bullet here talks about states not being able to – indicator score for the same program.

So that would be any one of these boxes here, any box in the screen would be one where you would have – if you didn't get 50 percent of any of these individual boxes, that would be a situation where you would have a scenario here for – under item three. And then sanctions can also be – you could also have a sanction for failure to report. And then what's really important to remember, and Luke talked about this earlier, is there is that table that showed us when data was going to be available.

So next year we're going to have data on measurable skill gain, but we're not going to have any data for the employment indicators, for example. So sanctions are going to be determined – they're going to be phased in based on the availability of data and that's very important to remember.

Let's see. I think I'm going to turn this over to Melinda; is that right?

MS. KAUFMAN: Yes. Thanks, Jay. So I'm going to spend a couple minutes talking about what's next as far as guidance. Karen mentioned that the joint performance guidance will be out I the next few weeks. Once we get that off of our plates, we are working on supplemental wage and employment verification guidance. So how do you verify wages or employment when you don't have the wage records, what tools can you use to do that?

We'll also be working on data validation, negotiations, annual reports, sanctions policy. So tons of guidance out of the performance team to look forward to over the next year. We're also – we started conversations about technical assistance, what types of technical assistance do our state partners need, what can we provide with the funding that we have, amended ICRs.

So we're working on an amended ICR, which basically will deal with three components, eligible training provider information, the narrative annual report, which Luke mentioned earlier and customer satisfaction metric. And we're also working on revising data sharing agreements. So right now we've got the WRIS and the WRIS II for the DOL programs, but the WRIS II doesn't really meet the needs of the education partners, because you cannot receive individual level data from the WRIS II if you're not a DOL-funded program.

So we need to come up with a solution to allow our education partners the ability to match individuals to wage records. The solution to that is what we're calling the SWIS, the State Wage Record Interchange System. So you'll be seeing more information about the SWIS coming out in the next few months as well. And Karen gave us a brief overview of the performance guidance at the beginning of the presentation.

So I don't want to spend a whole lot of time on this, but just know you're in for 70 pages of guidance in early December hopefully with 10 attachments. So it'll be a lot of information for you to take home over the holidays and digest.

MS. STAHA: All right. And just if you have any questions in addition to the ones you're giving us now and then we have our contact information, different websites, different mailboxes that you can access. And so save that slide for – in case you don't know how to contact any of us. And I think now we get to the fun part, any questions. The last question I saw, what is an ICR, it's an Information Collection Request.

There is a law, the Paperwork Reduction Act, which sometimes seems like an oxymoron, I know. Under the terms of the Paperwork Reduction Act, several departments are required to publish their intent to collect data and other information from their grantees, the states, the local areas, whomever and it's a process to get it all approved. We published a notice in the Federal Register and reconciled those comments and then get it approved.

They're usually – the information collections are usually approved for a three-year period. The joint information collection for the PIRL as well as the DOL-only information collection were approved on June 30, 2016 and approved for 3 years. So that's just a term – I guess you could say a term of art, if you will. So let's go to – I think there were a couple of questions for Title II programs. And so Jay, do you want to – let's see if we can find those questions.

MR. LEMASTER: I think I have them here. OK. I'm going to read them. The first question that we have here is, "As someone on the education side, I am not familiar with the state DOL reporting requirements. The presentation states that the states need to upload an individual record file. Does this mean that data is at the individual student level? So if a community college is an approved service provider, will the data the college provides to the state Department of Labor then be passed along to the U.S. DOL, the integrated performance system?"

I know that, as I said earlier, our state programs in Title II collect – they collect individual record data at the state level on a quarterly basis from eligible providers and we will not be – they will not be uploading that individual record data to our system. That will be done – they will be submitting tables or filling out tables for the NRS that represent aggregate performance data.

And then I see another question here that is actually also asking sort of – almost the same thing, which is, "Clarify whether Title II data will be submitted in this quarter's joint PIRL." And so like I said earlier, for Title II adult education, we are going to be collecting data as we do now on an annual basis, aggregate performance data and states will continue to collect quarterly data – or individual record data on a quarterly basis.

So federal annual aggregate state will be doing individual record data on a quarterly basis. I hope that answers the question.

MS. STAHA: All right. Thank you, Jay. Let's go back – let's see, "Regarding the effectiveness and serving employers, can you elaborate on what is meant by shared outcomes? Does this mean that all the state core programs will report as a single unit on the two measures the state selects or will each core program report on its own effectiveness, but each core program will report on the same two measures?"

Let me see if I can try this. We're asking that the states determine that core programs work together and that the states – the programs determine what two measures they're going to use for this indicator. And although you – the – each core program may or may not be reporting separately, they would report the same outcomes. So the idea behind this is as – you know, we recognize that employers are one of our key customers, if you will, for the system.

We don't want programs to be competing against one another with the finite set of employers, we want the programs to collaborate and work together to place the individuals with the most appropriate employer. So since the measure is dependent on UI wage data or one of the measures is in an establishment identifier, such as an employer SEIN or state tax ID, the departments anticipate that the state workforce agency may be best positioned to report this measure for the state.

But again, it's the – the programs within the state would determine who would be reporting it. You could report – I would envision that Titles I and III – and I guess I would say the programs determine who's going to manage it, but each program would report the same outcomes. So it would be a shared indicator. I hope that was helpful. If not, we can try again. Let's see, "Please explain how negotiation is part of the post-program adjustment of performance goals."

I thought this would be data-based to the extent to which the actual participants served and the actual economic conditions differed from the planned participants' economic conditions. Cesar.

MR. ACEVEDO: Yeah. (Inaudible) – that the question is correct. So we envision taking those negotiated performance outcomes, those negotiated targets and adjusting them. We're going to use the same model with the same coefficients at the end of the year. We're just going to input the data that actually happened, not what we predict will have happened.

So if you say you're going to adjust your service delivery option – or your service delivery programs and really target disabled individuals and you expect that number to jump up to 50 percent, but you actually only hit 25, we're going to put in that 25 and get an adjusted negotiated target. And then that final negotiated target will be what your performance is measured against. I think that covers it.

MR. MURREN: OK. I'll jump in on the next one. We've got a question asking about, "Is a unique individual identifier expected to be the same for a particular participant across both the DOL and joint PIRLs?" And I can interpret that two ways. So I'll give two answers. One, just wanted to reiterate what we talked about earlier is that from a DOL perspective, we are not expecting a joint PIRL submission, any DOL PIRL submission.

There will only be one layout, one file per – it could be one file period or one file per funding stream, per program that we are expecting to receive. So in that way, I just want to make sure that folks are not confused on what is expected to be reported from the DOL side. The other way I can interpret that is looking at the DOL PIRL as compared to the unique identifier for the other core programs and that answer is a little bit trickier.

The short answer is to know you're not required to have the same participant for someone that stands across or is co-enrolled in multiple core programs, however, anybody who has looked closely at the requirements of the law and the information collection requests and reports knows that WIOA does ask for a count of participants who are co-enrolled across the six core programs.

So in that way, if that is something that the state could incorporate or could do, I think that we would all encourage that to happen, but again, it's not required to happen. So hopefully that answers that question a little bit.

MS. STAHA: Let's see, I'm scrolling through the questions to see which ones – some are very technical in nature and we don't want to – well, we'll figure out a different way to answer those. We will answer them.

MR. MURREN: So here's one that I can jump in on again. The question on reporting the, quote-unquote, "old participants" under the Wizard and the current participants under the PIRL. So just to reiterate what we talked about earlier, there is not a requirement to submit any WIA exiters now concurrently with your PIRL submission through the integrated performance system. Instead what we are going to do – and this will packed along more formally, but we are wanting to do, at least I'll speak from Department of Labor's side, is we would like to collect what we're calling the closeout report for WIA.

We still think it's important for these WIA exiters to be counted to see what the outcomes were, those sorts of things. However, we purposely didn't want to overburden states by asking for dual reporting requirements whereas one file would be submitted under the new reporting system, one file would be submitted under the old system.

So what we're asking is that any exiter who exited on or before 6/30/2016 to hold that information and wait until the last wage record data is available for those people, which would be the end of calendar year 2017. And once all of the wages are available then, we will be submitting one last final WIA report, likely be due sometime early in 2018.

So just to reiterate, one final report for WIA, we're not collecting the rolling quarterly type of method that we've been doing up until now. You're only reporting on a quarterly basis into the new reporting system only on the PIRL and only on people who have participated or exited after 7/1/2016. So hopefully that helps.

And again, we'll put this in writing and we can get it more official than that, but just want to let everybody know that for right now you should only be reporting one file, no Wizard, no EDRVS per the labor side.

MS. STAHA: All right. There's a few additional questions that are more focused on ETA. We will go ahead and answer those. One question is on the eligible training provider reporting that information collection for that. We published originally the data elements that were to be collected for the eligible training provider report and we indicated that we would be publishing – amending the information collection requests to include proposed additional elements and then the format for reporting.

That's part of that amended ICR that Melinda talked about and we anticipate that to be out probably no later than December. Hopefully sooner, but I would say before the end of the year definitely and then it'll go through a comment period and it'll take several months to have the comments come in. We give the time for comments and then reconcile those and then make those final. And another question was, "In the December guidance, will there be edit checks for the DOL PIRL?"

They will not be included in this specific guidance. We continue to work on those. I think there are some basic edit checks in the system in the WIPs now and we will be developing additional ones. Cesar or Luke, do you want to elaborate?

MR. ACEVEDO: Yeah. So currently, in the WIP system, there's – we only have six edit checks operating right now. Those we can get out through your regional offices, I guess, for which ones that are giving you guys trouble. Mainly right now the only thing you guys should be concerned with are the valid values. So right now we're just checking to make sure that what you put in a box is what should be in that box and that's pretty much all we're looking for right now.

MR. LEMASTER: I'll also add onto that that anybody who's interested if you're – again, this is from the labor side only, but in the integrated performance system, there is a documentation of the edit checks that we currently have in the system that is found within the system. So there's not anything published yet, because we don't have the complete list, but anybody who wants to see what's live in the system can go and find a PDF within the system itself and see what is there currently.

MS. STAHA: There is a question about, "How will the reporting system handle participants to choose not to supply their social security number?" We will provide additional guidance on getting supplemental wage information. You know, two things to keep in mind, A, a person can receive services without providing a social security number and B – and this is new – this will be new for Title I programs and Title III programs is that previously if there was not a social security number, individuals would be excluded from performance calculations.

That is no longer the case. That is not a reason for exclusion from calculations of performance. Moving onto – there is another question about, "What performance measures are incumbent workers counted in?" And incumbent workers are not included in performance calculations. By the very nature of the program, the incumbent worker training, it is the contract, if you will.

The arrangement is with the employer to provide services. So the first customer, if you will, is the employer, not the incumbent worker. That said, there are certain data elements that we want to collect to see who is being served with these funds under WIOA. There is provision to use, I believe it's up to 20 percent of your appropriation on incumbent worker training. So we need to know – we want to know who is being served, the characteristics and the services that they're receiving.

However, they're not being included in the calculation of performance measures. The effectiveness in serving employers is an exit-based indicator. You would have – the one – there's three options for doing – I mean, the thing is with the effectiveness in serving employers, there is different options. The one is based on the individual and that's whether the person is working for the same employer in the second quarter as in the fourth quarter.

So that is definitely an exit-based provision. The other two you wouldn't – they're not really participant-based, they're based on the number of employers served and the repeat businesses of the – the repeat employer connection. So I wouldn't say they're exit-based or not, they're apart and separate, but the one part is definitely exit-based.

MR. MURREN: So there's one more question on something I was talking about earlier, I can clarify. Another question came in that said, so if I – if we have a participant who exits before 7/1, they should be included in the old Wizard reporting system, anybody who exits after 7/1 should be in the new system. And that, in a nutshell, is correct. So again, anybody who is exiting before 7/1 we should hold that information and we should – that should be included – those people will be considered WIA exiters who would be included in this closeout report.

And again, I think the confusion is coming into why aren't I reporting on these people yet? We're asking you to hold back so that we can get all of it at once instead of having two different reporting systems live and active and to have you all report on two different reporting schemes or layouts for the next year and a half. So that was the fault behind that. So the only other issue – so I think that's pretty clear cut.

The only thing I wanted to reiterate, again, is where it gets a little bit trickier is when we have someone – participants who, I'll say, goes over the threshold of 7/1, someone who participates before then, but doesn't exit until after that date and that person would also be included in the PIRL in the new integrated performance system.

What we're trying to work out in the system is some of the edit checks that would work or that would fire, so to speak, on some of these elements, because what we do not want you tall to do is to have the burden to go back and ask some of the new WIOA required characteristics or variables of someone who's been a participant before WIOA reporting started. So before 7/1.

So in other words, an example, if I have a participant who started their program in April of this year and they cross over the threshold and they're – and they exited in August, that participant should be reported under PIRL in the new reporting system, however, the fault would be that some of the newer data elements that are required the edit check would, quote-unquote, skip those and you wouldn't necessarily need to go back and collect some of the variables that WIOA brings forth.

One example I can think of is long-term unemployed. WIOA requires that particular variable, but for a participant who exits in August, you probably didn't collect that, because that would be normally, in most cases, I think, an intake element. So that probably wasn't collected. So therefore – (inaudible) – would skip out. So hopefully that helps clarify that a little bit.

MS. STAHA: There is a question on, "If/when sanctions occur, are they expected to only affect Title I allocations?" If a financial sanction is applied, it will be applied to the governor's reserve funds of Title I. But all programs are considered in the determination of sanctions, the outcomes, however, the financial impact is on the Title I governor's reserve fund.

MR. MURREN: So we have a couple questions that have come in regarding trade and the TAPR and how that'll work. And we don't have our resident trade experts in the room, but I can say that I think that there is going to be some upcoming guidance or note very, very soon on that in terms of how that will work. I will say that trade is part of the PIRL and eventually the idea is that trade act programs will be submitting data through the PIRL, but for now, I will just say to look for some guidance or note from the national office trade program very, very soon.

So just another clarifying question we got revolving around the joint PIRL not being a record of layout for DOL programs. And so let me try to clarify that. So the joint – no one should be submitting only a joint PIRL. The joint PIRL by itself is not any sort of particular file layout that we would expect or any program would be expected to be submitted. In other words, the joint PIRL is simply a subset. It breaks apart and shows the elements that are common across all the core programs and it's a subset of – in our case, it would be the DOL only PIRL.

Melinda talked about earlier how that is a subset of the data elements required in the RSA-911. So the RSA programs or DOL programs should be submitting only those joint PIRL elements to us. Instead that was just simply a way to try to show which elements of the total of the universe are common across our core programs. So hopefully that makes a little bit more sense.

Another question on if someone can – in one organization, if a state can submit a full profile for WIOA adult dislocated worker youth and dislocated worker grants and yet another organization could submit a full PIRL for Wagner-Peyser and JVSG. And the short answer is yes. So the full PIRL you can submit any program from one up to all of them.

So you can if you have just WIOA adults. You could submit the full PIRL 467-column layout with a whole bunch of missing – whole bunch of blank spaces in there and you could submit that under – when you go into the performance system under the full PIRL. And on that same note, one entity within a state could upload part of – or some programs and another entity could upload the other parts. And for right now, if you wanted to have joint programs in one file, there's a couple different ways you could do it.

But the short answer is yes, different entities within the same state can update – or can submit different full PIRLs which contain different programs within them.

MS. STAHA: All right. There is a question about, "Please confirm that guidance regarding supplemental employment and wage information will be gathered and documented to the same standards between VR adult ed. and DOL programs. If one has to meet more stringent data calculations in say, DR, then say, adult ed., then the data and performance results will not really be comparable. There will also be less integrity and auditability."

Yes. We are definitely working to develop joint guidance on the use of the collection of supplemental wage information. We wanted to get the basic – the comprehension operational guidance out first and that is next on the queue to work on. We've started working on it and we hope to get that out shortly, but all the guidance regarding performance accountability is being developed jointly.

MR. MURREN: So I saw a question asking about – I mentioned earlier the reports on – the closeout report for those who exited on or before 6/30 this year and folks are looking in their – pop in the Delorean (sic) and they're looking towards all the way to 2018, which I have no problem with, but – and asking when or where will that report be submitted to and that's a good question, because we'll have to obviously let folks know closer to time, but for right now, my inclination would be to say that we will likely keep the lights on under – in EDRVS.

Obviously, we'll be submitting the 9002E reports, the job openings file, there. And since we would be asking for these exiters from before 6/30 in the Wizard format, we will likely use EDRVS as the submission vehicle for that report in early 2018.

MS. STAHA: All right. We had a question about the – it says that, "The gentleman from adult ed., Jay LeMaster, stated that staff must work with a participant for a certain number of hours before they are accounted as enrolled. Is this true in Titles I and III? What is the number of hours?" No. And actually, this is spelled out, I believe, in the regulations Section 167. No. Is that right? 667, forgotten already, of the DOL.

I think each department has its own numbering. Anyway, the performance accountability regulation lays out the definitions for reportable individuals and when people are considered participants. Under the adult ed. program, it's number of hours. Contact hours, I believe, is the terminology. For Titles I and III, it's the number of – it's the amount of staff-assisted services or when a person receives staff-assisted services.

So I would encourage you, if you haven't looked at that, look at the joint performance regulations on the – to clarify that information.

MR. MURREN: So I'll jump in again. Got a question talking, again, mentioned about the joint PIRL. There was another question on whether or not the joint PIRL elements should be submitted jointly by the state and that's a good question. As of right now, I don't – I won't speak to how that's to work in the future, but for now, the answer is no, that again, the joint PIRL should be viewed as kind of a subset of what is collected jointly and uniformly.

But it's the intent that each core program will submit their own – or I should say Titles I and III separately from Title II, separately from Title IV. So the three larger agencies that make up the six core programs would each – states would submit a report to each of those agencies. So there wouldn't be one joint report on the joint elements coming in collectively, but instead each – the state would submit one to each of those three agencies.

MS. STAHA: There's some questions about the eligible training provider report, when will the first report be due? And for the eligible training provider report, will the three preceding program years' inclusion of data and measures be phased in over time? Will there be training opportunities on this? Absolutely. The first report will really depend on when the collection is approved and final and then we will look and see.

It is an annual report. I don't know that we will have it. I mean, we are gauging – you know, targeting October, 2017, the end of – the – when the program year 2016 reports are due, however, it really does depend on the approval process of the information collection requests regarding eligible training providers. Similar to not only the eligible training provider report, but also, the WIOA annual report requires that the data be displayed for the current year and the three preceding years.

We are looking forward. So we do not expect states to go back to collect this data. So the first year will be – the first report will be 2016 and then in 2017, the program year – 2017 report will include the '16 and '17, then '18 will include '16 and '17 and then finally, '19 will include '16, '17 and '18. So it will be 2020 before we finally see the preceding three years and that will be at a minimum.

And so working forward, then you'll have your preceding three years, but we will not require states to go back and collect data.

MR. MURREN: Karen, I'll hop in here. We have a related question on, "When is the first eligible training provider report due?" And eligible training provider is, as Karen mentioned, an annual report and as such, it'll be due alongside the – the due dates will be the same as the state performance report that WIOA talks about. So specifically, for the first one, that will be due the middle of October in 2017 and obviously, there'll be more information to come on that in terms of how it will be collected and how it will be aggregated and as Karen mentioned –

MS. STAHA: How the states will report.

MR. MURREN: Yeah. How it will be reported, that will be coming. A lot of that information will be in the amended information collection request. Speaking of that, someone's asked, "When will that information collection request become available?" And that's a good question. We're working on this now. Obviously, as you all probably know, there's a lot of factors that go into the availability of documents like that, the review process, clearance process, any potential hurdles that we didn't see before the race began.

So it's really hard to say when it will be available, but it definitely will be out for public comment period. So we would urge anyone to keep your eyes peeled for it and please look forward and make comments when you do see it.

MS. KAUFMAN: All right. The next one's a VR question. "So in regards to Title IV vocational rehabilitation, if you have a state with two VR agencies, a general and a blind agency, how does the calculation work within the table calculating sanctions? Are we grouped together?" Yes. You're accounted as the state. So you would be one agency for this purpose. We would be combining the general and the blind.

MR. MURREN: And on negotiations, we've got a question asking if states will be negotiating overall – or "When will states be negotiating overall rate on measures?" And the answer is you won't be. You will be negotiating a – the individual core indicators for each program. I think what that question was talking about when Jay showed the table of the sanction calculation in the outside gray boxes, which is the averages going across and down. I think that that question is talking about how those numbers will be negotiated and you will not be negotiating those numbers.

Instead each of those interior lighter-colored boxes will have a score and what that score is is the actual outcome versus the adjusted target. Cesar talked about it earlier how the targets will be adjusted. And that is really – we're calling it score, because otherwise we would be a percentage of a percentage and that gets a little confusing. So each individual box will basically be how close did you get to your target in each of those measures cross-cut by the core programs?

And then when you average those across, it's – it will either be higher or lower than 90 and that, in essence, is your target, if you will, for the overall on those outside squares. So that is going to be – but you won't be negotiating that, that's already going to be set. It's in the regulatory language. So there's nothing for the state to actually do in terms of negotiating those outside box numbers.

MS. STAHA: All right. A question back to the eligible training provider reports, "Which core programs will be required to complete the eligible training provider reports?" The eligible training provider provisions are under Title I, the – primarily, the adult and dislocated worker programs. There is a unique provision for certain use to use an eligible training provider, however, they will be reported as adults, as I recall.

So it's really only Title I. Title I is the only title that has the requirements for eligible training providers.

MR. MURREN: So I'll hop in again. We have another question. Talked a little bit earlier about an individual being served by multiple core programs and do we – are we required to use the same unique identifier? We have a follow up question asking for more clarification on that. And again, the short answer is no, it's not a requirement, except that, I will say, we are asking states to do that from the labor side in Titles I and III.

So if there's a co-enrollment participant there, the idea is that we're asking states to move to a point understanding that this is not an overnight addition – a revision to your management information system, but we are looking to start tracking those individuals over time and across Titles I and III. So again, for that particular question on the screen now, no, you do not need to, across, I'd say, the DOL to education programs, but within the DOL programs of Titles I, III, yes.

We are looking for states, again, to begin that process understanding that this is not something quick that would necessarily happen overnight.

MS. STAHA: All right. There is a question, "Is the effectiveness of serving employers measure reported quarterly for Title I?" It will not be. It will be an annual – an indicator reported annually. I think on our quarterly progress report, we did inadvertently include the cells for it to be completed quarterly, however, we're going to revise that and it will be an annual report. It will be reported annually.

MR. MURREN: Looking at another follow up question, Cesar was talking earlier about the target adjustments at the end of the year and someone's asking, "How are you going to adjust our targets at the end of PY '16 when we're not reporting any exit-based outcome data for PY '16?" What a great question that is. And just like the question implies, we can't. So because there's no data and the chart that I went over earlier, the data availability, you can see pretty clearly that there is no exit-based data available.

So therefore, the adjustment at the end of '16 won't really happen, because we won't have that data in. So there won't be an adjustment at the end of PY '16. I believe the joint guidance that went out on negotiations did mention that there will also be no sanctions based on PY '16 data because of that, because we don't have the data to run at the end of PY '16. So the law requires us to start in PY '16, negotiating targets, which is why we did for PY '16 and '17, but –

So that's been done, but yes, there will be no adjustment factor based on the actual outcomes at the end of program year 2016.

MS. STAHA: I will say I think there are a number of questions regarding the employer measures, the employer services, the effectiveness in serving employers. I think because we're almost out of time that we will schedule additional time to address that indicator specifically. What we are looking to do as we consider different technical assistance options is doing some webinars or podcasts in shorter chunks rather than an hour and a half long and we will just focus, say, on the effectiveness in serving employers measure.

In case you don't remember from the previous presentation, this indicator is – we're sort of in a pilot phase right now. We're asking states to choose two of the three approaches and they may report to us an additional approach that they have. And then we're going to look at the outcomes and see how – we'll do a quick evaluation of what approach seems to work best and then around PY '19 – Program Year 2019, or thereabouts, we will publish one definition for this indicator.

So right now we're sort of in a pilot phase, if you will. As I said, previously, the law said – you know, that gave the departments of education and labor to define this indicator whereas they defined other indicators quite explicitly in the statutes. They gave us the authority and we took that authority and we asked questions in the notice of proposed rulemaking. We did not get a clean and simple, straightforward way to define this indicator. So that's why we're in this pilot phase, if you will. We have one last question, Cesar.

MR. ACEVEDO: So the question is, "What information are we to use to renegotiate PY '17? We have to make our case by Quarter 3 of PY '16. So renegotiations are due – for PY '17 are due by the end of PY '16. So that gives you to June 30th to get those renegotiated targets in. So right now, as I stated before, the model is going to be updated with the PY '15 data and I think that's going to be the only new information at your disposal when you're going to renegotiate for PY '17.

So look out for that. We're thinking calendar Q1 of PY '17 to have the updated model out for everyone. And I think that was going to be our last question. So Karen, you want to close us out?

MS. STAHA: Right. We just wanted to thank everyone for their participation. You know, there are a lot of questions. We have all these questions, we are continuing to work on getting answers out to everybody. We have tentatively, on the books, another webinar time scheduled for December 14th, I believe it is. WIOA Wednesday is December 14th. We were debating on whether we would use it. I think the answer is yes, we will.

If nothing else, we can answer questions for a period of time. We would chunk it out, though, have it in different specific topics. Obviously, as I just said, that effectiveness in serving employers is hot on the topic. We know that we need to provide more information on the negotiations tool and the statistical adjustment model and how that works. We gave initial information on it and it seems like we need to clarify some of this.

There are going to be training sessions in the spring of next year that will address these topics, but we'll try to get some of these questions answered, obviously before that as well as the eligible training provider reports. So Laura, thank you.

(END)