**WorkforceGPS**

**Transcript of Webinar**

**WIOA Performance Accountability**

**Core Programs**

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LUKE MURREN: Thank you, everybody, for joining us, and I'll speak on behalf of the presenters today. Thank you for joining us as well. This is our first of two performance accountability presentations on WIOA Wednesdays. This one is a little bit special. It's on a Thursday, but it's part of the WIOA Wednesdays session or series, I should say.

So joining me today, the three presenters that we have representing all three of the agencies which represent the six core programs under WIOA, we have Karen Staha from Employment and Training Administration at the Department of Labor. We have Cheryl Keenan from the Office of Career, Technical, and Adult Education in the Department of Education, and also Melinda Kaufman from the Rehabilitation Services Administration also in the Department of Education.

So before I turn it over to them, just wanted to go over a couple of items with everybody. Again, I just mentioned that today's session is one of two. We just have too much great information to pass along to everybody. So we had to divide our presentation into two parts, and on that note, I just wanted to add that the PowerPoint that you all have to download is actually both halves. It's part one and part two. So if anybody is looking for a sneak peek on part two, that is actually in the PowerPoint that you have through the window here to download.

Today's portion, part one, we're going to be looking at some of the performance reporting timeframes requirements, and specifically within that larger bucket we're going to be focusing a lot on the six primary indicators of performance. The presenters today are going to go into more detail of how those measures are going to work, what goes into them, some of the caveats there. So that's going to be the bulk of today, and then we have some additional material. In November – I believe it's November 2nd – will be the remaining pieces of the performance accountability presentation.

So some of us have seen this before, but it bears reminding everybody kind of the WIOA vision of how – what WIOA meant to do and set out to do and particularly in performance accountability. And one thing I just want to highlight here is I think that WIOA really talks about the coordination and maybe the integration among the core programs. So we wholeheartedly believe in that as well, and that's why we have representation from all three agencies here again, which I personally think is a great thing to have. So that's kind of the overarching WIOA vision then, and particularly we find that important in the performance accountability section as well.

So I mentioned that we were – this particular presentation is part of the overall WIOA Wednesdays series, and there are several themes that we go over in those sessions, in particular as it relates to WIOA. You can see here that, while a lot of different themes kind of overlap into different larger groupings, the three that the performance accountability sections really hit on are those bottom three, the integrated service delivery we just talked about a little bit, the data systems that are there, and also the performance measurement.

And again, that last piece is going to be the highlight of today as we go over the – kind of the in-depth what's behind the six core indicators. And hopefully, people have had a chance to see those not only in the regulations but also in the Information Collection Request as well.

And on that note, before we get into diving deep into the performance measures, we want to talk a little bit about those joint regulations, the Information Collection Request, how they differ for each of the three agencies we mentioned at the top of the hour, and just give you a little bit more background before we dive right into the performance indicators. So I am going to turn it over to Karen Staha who is going to walk us through a little bit of background information on those helpful documents.

KAREN STAHA: All right. Thank you, Luke. Good afternoon, everyone, unless you're in Alaska or Hawaii. Then good morning. All right. Yes. This slide shows the outline of the performance regulations, and then our little poll in the – before we got started we asked how many of you had read these regulations.

These were part of the joint regulations published by the Department of Education and Labor. The performance accountability section of WIOA is Section 116, and the rule is part 677. I think when the final rule was published, then each agency had its own separate part it was published. So I don't know if it was also repeated verbatim in part 361 of 34 CFR and 34 CFR part 463, but they are the identical performance accountability regulations.

And as you see the contents, and I would say that to get to the final rule, it was a very collaborative effort among the three agencies, as Luke mentioned, representing the six core programs under WIOA. We published a Notice of Proposed Rulemaking, received – I think we won the contest for the number of comments received. I think it was something like 2,000 pages of comments, and we had many thoughtful comments that helped shape our final regulation.

And the regulations list include the definition of terms, the indicators of performance – we have six primary indicators of performance – the requirements for state reporting, the establishment of state levels of performance, the negotiations process, a not-so-favorite topic of sanctions for performance failure or failure to report, and then for Title I programs the regulations also address local area performance and eligible training provider reporting.

Again, those are just applicable to the Title I programs. And so that's the overview of the performance regulations. If you have not seen them, if you have not had the opportunity to read them, I encourage you to do so. It will give you a great background and provide greater context for this presentation, for subsequent guidance that we may issue, and other forms of technical assistance.

We can go to the next slide. Thank you. All right. Accompanying the rules, the regulations were two Information Collection Requests. One was – oh, where is it? Let's see. We go back one slide, please? There we go. Thank you.

We published two different Information Collection Requests. One was to capture the joint requirements for all the core programs, the reporting requirements, and there is the OMB number, the approved number approval. This was approved on June 30th, 2016. Good for three years. It included the Participant Individual Record Layout or what is known as the PIRL, so the jointly used data elements, and that had a ETA form number, ETA-9170.

We made – I think it was historic that we published joint reporting requirements under the auspices of the Paperwork Reduction Act. Unfortunately, their processes have not caught up to our innovative approach. So one agency had to submit the documents. Therefore, the documents, the joint requirements, the joint forms all have an ETA form number on them.

So the joint layout, the joint PIRL contains all the data elements necessary to calculate those six primary indicators of performance. Additionally, the RSA-911 contains joint – they're – they have a – they published a Information Collection Request, and those joint data elements are in their approved data collection package as well as the Office of Career, Technical, and Adult Education published their national reporting standards reporting tables and it included the joint data elements.

In addition to the joint data elements under the joint PIRL, there is the annual report template for states and local areas, ETA-9169. The annual report template for states is to be submitted by all grantees of the core programs. That same template includes – to be used by the local areas for Title I programs, and Titles I and III we have – well, Title I has local areas, and the same template would be used for the local area report.

The joint data collection request also included reporting cohorts for each indicator, and then as part of it we included the eligible training provider data element definitions that, again, is for Title I only, and then the specifications for one of our new indicators, the effectiveness in serving employers.

For the Department of Labor we additionally published a separate data collection request, information collection, that incorporated the DOL reporting requirements. And this was, again, historic in the sense that it is one layout for most all programs and the Department of Labor's Employment and Training Administration, also working with our Veterans Employment and Training Service in the department.

And it includes all the data elements to be reported on by each of the various programs. I believe it was 11 or 12 different programs will be using this DOL only PIRL, and it will include WIOA programs, as well as trade and other programs to use this layout. We also included in that information collection the quarterly report template and the pay-for-performance report template. And you'll see the URL. All these reporting requirements can be found at our website www.doleta.gov/performance/reporting.

And now, I'm going to turn it over to Melinda who will talk about the RSA specific reporting requirements.

MELINDA KAUFMAN: Great. Thanks, Karen. RSA, typically the vocational rehabilitation program, are reporting and our data collection instrument is the RSA-911. You can see a link to it at the bottom of this page. The link takes you to the policy directive 1604, which we just published a few weeks ago, which includes updates to the RSA-911 that was issued in June.

So you'll want to make sure that you've downloaded this version of the RSA-911 dated September 2016. There were several non-substantive changes between the version released in June and the version released in September. We made some fixes to errors or clarifications that states had requested between the two versions. So please make sure that you download the new version, the September 2016 version.

I want to go over with you the timeline for reporting RSA-911 data. VR is kind of on a different trajectory than the other core partners. So in accordance with section 506(b) of WIOA, the performance accountability system requirements of Section 116 of WIOA took effect on July 1st, 2016. At that time VR agencies were expected to begin the process of implementing the final RSA-911 data collection.

However, we had just given them the revised 911 in June. So we couldn't realistically expect our state partners to be able to start tracking these data elements electronically within a period of a couple of weeks. So the Department of Education exercised its transition authority to allow states time to develop the new case management systems that they would need to track this data electronically.

So for fiscal year 2016, which ended on September 30th of 2016, VR agencies are expected to report the closed case data from the RSA-911 by November 30th. So I hope you're all still working on that. For fiscal 2017, the first three quarters of the fiscal year, October 1st to June 30th, you'll be reporting closed case data on the RSA-911. That will be due to RSA on August 15th of 2017, which is 45 calendar days after the end of the reference period.

And beginning on July 1st of 2017, our state partners will be expected to be using their new case management systems to report data on the new RSA-911. So this will be the open case data, and the first report will be due to RSA on November 15th, 45 days after the reference period – at the end of the reference period which is July 1st, 2017 to September 30th, 2017, the first quarter of the program year of 2017.

OK. I want to highlight and make sure that VR people on the phone are aware that – I know in the past there's been a long-standing tradition that files will be accepted late. Once we move to this quarterly data collection, that will no longer be the case.

If files aren't in on time and clean and usable, we are not going to be able to turn around the performance measures and information that we need to provide back to the states. So that causes a problem not only for state VR but the rest of the state since you're reporting together. So you'll want to make sure that your cognizant of these deadlines and make sure we get clean files in on time.

CHERYL KEENAN: OK. This is Cheryl Keenan from the adult education office. This next slide is about the reporting requirements for the adult education program or the Title II program. States are required to submit to OCTAE the statewide performance report template on October 15th of 2017.

This is a little different than the other core programs because the states themselves must complete and submit the report since in adult education states actually hold the individual student records rather than the federal office. So this October 15th reporting date is an annual requirement. We do not have quarterly reporting in the Title II program.

Additionally, states must submit national reporting system tables, and I think most folks on the phone may realize that on June 30th of this year we released revised NRS tables. These tables have been revised to incorporate the WIOA changes, and the revised tables that are currently available, it's important to note that they contain and use the definitions from the joint PIRL that was published in the ICR. So although there is not an individual record format available nationally for adult education, the aggregate tables in the national reporting system are consistent with the definitions in the PIRL.

Additionally, states must submit for Title II a narrative report, a financial report, and a data quality checklist on the dates that we specify to our state offices in our annual data collection memorandum. At the bottom of the page there are some links there on where you can find the information that we are referencing here. So thank you. Back to you, Melinda.

MS. KAUFMAN: Thanks, Cheryl.

MS. STAHA: If I may jump in real quick.

MS. KAUFMAN: Sure.

MS. STAHA: Sorry. This is Karen Staha. I just wanted to mention I realize that I had – it's actually in the next part of the presentation, but just so everyone is clear for the Titles I and III programs that you're in the process, if you haven't already, of submitting your WIA PY '15 annual reports, the narratives, and you should have already submitted your fourth quarter WIA report.

And then we have our new MIS up, and we're looking forward to receiving WIOA quarterly reports on or about November 15th. We recognize that some states, given that we didn't finalize the reporting requirements and have them approved until June 30th, that November 15th may be unrealistic.

So we encourage you to reach out to your ETA regional office to talk with them about what is a good submission date for you, for your state. But the system is up and running, and we'll get into more of that in our next presentation, but I just did want to highlight since my colleagues were mentioning reporting deadlines just so you realize that we're – you're on the hook. All right. Thank you. Melinda.

MS. KAUFMAN: Thanks, Karen. So we're going to spend the rest of our time today talking about the six primary indicators of performance. So the four listed on this slide are exit-based indicators, that is, when a participant exits the program. They're generally included in these calculations. With everything there are several exclusions. For example, if someone takes up residence in a state correctional institution, then they would not be – their exit would not be counted in these performance indicators.

Before we go into the meat of the indicators, I wanted to go over with you first a few key terms. I think it's important that you understand what a reportable individual, a participant, and exit are before we go in and talk about them in the terms of the indicators. So I'm going to talk at a general level about what the three definitions are. Note that each program will have nuances associated with each definition that you'll cover in your program-specific training, but we could probably spend an hour talking about the three definitions, if we went into great detail for all four programs here.

So a reportable individual is an individual who has taken action that demonstrates an intent to use program services. Reportable individuals are just for tracking purposes. They're not included in any of the performance measures.

A participant, the definition is going to vary across the core programs. So for Title I youth, a participant is defined as a reportable individual who has satisfied all program requirements for the provision of services and has received one of the 14 WIOA program requirements identified in Section 129(c)2 of WIOA. For Title I adult, Title II, and Title III, a participant is a reportable individual who is receiving services other than those specified in 677.150(a)3. For Title IV, a participant is defined as a reportable individual who has a signed individualized plan for employment or an IPE and has received a service from VR.

An exit in Title I adult and youth, Title II, and Title III exit is defined as the date of the last service. So if a participant hasn't received services in 90 days and has no services scheduled, they have exited the program retroactive to the date of their last service.

For VR this is a very general definition of exit. There are a lot of nuances to this term in VR, but for today's purposes it will be sufficient to know that we're going to define exit as occurring when the service record is closed because the participant has achieved an employment outcome and is not receiving supported employment services.

So we'll first talk about the employment measures. So these are kind of pretty straightforward. Employment rate second quarter after exit for adults, a Title I adult, Title II, Title III, and Title IV is defined as the percentage of program participants who are in unsubsidized employment during the second quarter after exit from the program. And we'll define unsubsidized employment as employment for which the employer does not receive a subsidy from public funds to offset the cost of employment.

So the government is not paying an employer to employ people. OK. For Title I youth the measure is – we're going to include training activities and education. So the measure is defined as the percent of Title I youth program participants who are in education or training activities or in unsubsidized employment during the second quarter after exit.

OK. Similarly, for the employment rate fourth quarter for Title I youth, same definition. We're just looking at the fourth quarter after exit. So the percent of Title I youth participants who are in education or training activities or an unsubsidized employment during the fourth quarter after exit. Likewise with the employment rate fourth quarter after exit for the other programs, percent of program participants who are in unsubsidized employment during the fourth quarter after exit. So pretty straightforward.

Some things to note for the employment rates, so the fourth quarter is not a retention measure. We're just looking to see if someone is employed. We're not looking at their employer. Karen will talk a little bit later today about a possible measure that you can use for retention.

Also want to point out that the employment measures are calculated for all participants who exit, again with a few exceptions being the person who's taken up residence in the state institution or has been activated – called to active duty or something like that. So with a few exceptions, the employment measures are calculated for all participants who exit, regardless of employment status at the time of application. And I believe for some of the DOL programs that's a difference for you.

OK. So we'll move on now to the median earnings calculations. So we're building in complexity as we move through these today. So median earnings second quarter after exit we're going to define as the median earnings of program participants who are in unsubsidized employment during the second quarter after exit from the program as established through UI wage record match, federal military employment records, or supplemental wage information.

Both a median wage, for those of you who need a refresher, is the middle number in a series of numbers arranged from lowest to highest. So if we looked at the data set one, three, six, seven, eight, the median would be six. This is not to be confused with the mean, which is the average of all numbers in a series. And the difference would be if we looked at the same data set one, three, six, seven, eight, the mean would be five.

OK. And to highlight, employment median earnings measures must be verified through a UI wage record match, federal or military employment records, or supplemental information. One of the later pieces of guidance that we will be putting out will detail how to use supplemental information to verify employment and wage data.

OK. So, Cheryl, I'll turn this over to you to talk about credential attainment rate.

MS. KAUFMAN: Thank you, Melinda. So the fourth indicator that we're discussing today is the credential attainment rate. It's important to note that this indicator does not apply to the Wagner-Peyser only services, and it really combines two previous indicators from under WIA related to the attainment of a secondary credential and the attainment of a postsecondary credential. The rule actually expands a little bit more on what the statute provided for the definition of this, and the rule defines this indicator as the percentage of those participants, those – particularly those participants who are enrolled in an education or training program that excludes OJT and customized training and who attained a recognized postsecondary credential or a secondary school diploma or its recognized equivalent during participation in or within one year after exit from the program.

Now, in terms of the secondary school diploma, the statute further stipulates something very different than what occurred under WIOA and states that a participant who has actually attained a secondary school diploma or its equivalent is included in the percentage of participants who have attained a secondary school diploma or its equivalent only if that participant is also employed or is enrolled in an education or training program leading to a recognized postsecondary credential within one year after exit from the program. So this is a very different requirement than we had under WIA in that everyone who has attained a secondary school diploma must be followed one year after exit to determine whether that individual is either employed or enrolled in a postsecondary program leading to a credential to be counted as a success under this indicator.

In the PIRL or in the ICR, the joint ICR it further stipulates that for the secondary credential, only those enrolled in what we refer to as secondary education, which is at or above the ninth grade level, are to be included in the secondary credential portion. It's also stipulated that only those are included that did not have a secondary credential when they entered the program.

It's important to note that we have guidelines that are forthcoming. I see that there are some questions on the screen about when guidelines will be released, and we will talk about that. But in the forthcoming guidelines that are currently in the clearance process, those guidelines will also clarify the types of acceptable credentials and more specific information on what is considered an education and training program for each core program.

So that information is coming shortly. I know that these are frequently asked questions. They're questions that we had received quite a few of during the public comment period of the rule, and that information will be in the guidance. But for today's purposes, we're not going that deep into that information.

The next indicator is a slide progression, and the next indicator is the measurable skill gains indicator. Now, I think everybody knows by now that this is a brand spanking new indicator under WIOA. We described the approach that we were taking to the measurable skill gain indicator in the proposed rule that we published several years back, but to remind folks, our approach at the indicator is to use it as a measure of interim progress of participants who are enrolled in education or training services.

And it is intended to capture important progressions through pathways that offer different services and these are based on different core program purposes and different participant needs and we believe that this can help fulfill a vision for a workforce system that serves a diverse set of individuals with a range of services and that are tailored to individual needs and goals.

We were very pleased that the vast majority of public comments we received supported the department's approach, and in the final rule we published five types of gain that will be used to actually measure skill gains for this indicator. So depending on the type of education or training program that a participant is enrolled in, the documented progress is defined in a very shortened version on this slide in those five boxes in the second line of the graphic.

And I'll start going over those a little bit, and I'm going to start in the middle because in the rule the first type of gain is documented achievement of at least one educational functioning level of a participant who is receiving instruction below the postsecondary level so that this type of gain is applicable to those who are enrolled in basic education programs.

The second type of gain is documented attainment of a secondary school diploma or its recognized equivalent, which is the first box on the second line. And the third type of gain is a secondary or postsecondary transcript or a report card for a sufficient number of credit hours that shows that a participant is meeting the state units academic standards.

There is also a type of gain that deals with satisfactory or better progress on a report towards established milestones such as completion of on-the-job training or completion of one year of an apprenticeship program or similar milestones, and that report would be from an employer or a training provider who is providing the training. And then lastly, the fifth type of gain is successful passage of an exam that is required for a particular occupation or progress in attaining technical or occupational skills as evidenced by trade-related benchmarks such as knowledge-based exams.

So the full explanation that I provided for these short-version boxes are the actual language that you can find in the regulation under this section defining measurable skill gains. It's also important to note that for the first type of gain, educational functioning level gain, that there are three ways that people – an individual may get the checkbox for an educational functioning level gain, and one is that there would be a pre- and post-test that documents the appropriate progress to get a gain.

The second way is many states offer adult high school programs that lead to secondary school diplomas or equivalence, and those states may measure gain through the awarding or credits or Carnegie units, credits that are recognized by the states or Carnegie units. And the third way is that states may report educational functioning level gain for those who exit the program and enroll in a postsecondary education and training program during the year.

Now, when we say that they enroll in a postsecondary program from the exit, we mean that it is a program below the postsecondary level, and that applies, again, to participants that are enrolled in a basic education program.

So also I want to say that we had a lot of comments in the NPRM asking about what does it mean to be enrolled in an education or training program, and our forthcoming guidelines will further specify what each core program considers as an education or training program. So stay tuned for more information on that.

One parting note is that the measurable skill gains indicator is really very different from the other indicators in that it does not require a participant to exit the program before the indicator is triggered, meaning that a participant can achieve a measurable skill gain while still participating in the program.

I would also say that, in terms of the five types of gains, that the Title II adult education program is using two of the five measures, achievement of at least one educational functioning level, or documented attainment of a secondary school diploma or its recognized equivalent, while the other core programs are using all five types of gain and this is based on the statutory purposes and allowable activities and the differences in that between the programs.

So, Karen, I turn it over to you to talk about effectiveness in serving employers.

MS. STAHA: Great. Thank you, Cheryl. And as Cheryl indicated that our measurable skill gains measure was, to use your words, brand spanking new, we have another one, the effectiveness in serving employers, a second new measure. And this really gets to recognizing our business, our employer customer as part of the equation of helping people through our programs.

They provide the necessary jobs, and so this is getting at how effectively have we served that business customer, the employers in our services throughout our grants, grantees, the local areas, the One-Stops, the American job centers. And in – unlike some of the other indicators, for instance, the outcome indicators that Melinda described, they were – and the employment measures, they were pretty well-defined in the statute, this measure was not. This indicator did not have a definition. It charged the Departments of Education and Labor to develop a definition.

We put forth some proposed ideas in the Notice of Proposed Rulemaking. We got some very good ideas. Alas, we did not get that one silver bullet that really said, this is the best way to define this indicator. It will fall all ills. So we took the three approaches that we – three of the approaches we had mentioned in the NPRM, the retention with same employer in the second and fourth quarters after exit, the employer retention – penetration rate, rather, and the repeat business customer rate.

These look at providing employers with skilled workers. The idea of retention is that, if an employer keeps the same employee, they do not have to expend efforts on recruitment and initial training. So the idea is to keep someone. When we had – in the development of the regulations, we had town halls with employers and with our system, the workforce system on this very measure, and one of their common themes from the employer community was, we really value retention. We don't want to have to keep recruiting people over and over again. So that is the thought behind this one approach.

The second, the employer penetration rate, it's looking at engagement with the employers in the state and local economy. How many of those employers in that area have we reached? What is the number of employers that we have – within a local area, within a local labor market, how many of those employers has the One-Stop touched or the grant touched?

The third one is repeat business customer, and this is looking at how many of those businesses come back for services. Now, we recognize that the – and particularly if the services are good, if the employer gets a ready to work, trained and skilled employee, they may not come back for services in the year, especially if they're a small business. They may not need the One-Stop services in the course of one or two years. So we're looking at this as over the course of three years, how many repeat business customers do we have?

And to avoid competition among the six core programs for this indicator, because we don't want the one program saying, oh, well, I want to work with that employer. You can't have them. We have made this a shared indicator. So it's all for one, one for all so that the outcomes will be averaged and reported. One number will be reported by the state for all six core programs, and we're working out the details of how that occurs. I think we're going to say to the states, you decide which agency reports that number or they report the same number for all programs. And so that's where we are on that measure.

What we have proposed, what it states is that we're going to – the state will choose two of these approaches, two of the three, report your outcomes once you have them, and then we will see – we'll get feedback. Additionally, if a state has a different idea, we'd encourage the state to report that to us as well so that we have information.

We're planning an evaluation of this going out and working with the states and local areas to see which of these approaches makes the most sense, and then once we gather sufficient information, then we will decide on one definition for this primary indicator. It sounds a little complicated at the moment, and it is. Like I said, it – we – no one has come up to date – we did have a lot of good suggestions in the comment period, yet there wasn't just that great one that was easy to implement across six core programs to be able to calculate the information. So that's where we are on that sixth primary indicator of performance.

Now, that is the end of the first part of this presentation. We have a little over 30 minutes left. We will – we've received over 50 questions so far. We will attempt at this point to try and answer as many as time will permit, and there's some questions. People have been asking, when is the guidance coming out?

Cheryl mentioned it. We are working on guidance. It's in the clearance process. We hope that it will come out. Because it has not made it through final clearance yet, that was one of the reasons we wanted to at least start these webinar presentations to give you some of the information, give you some of preview of what's in the guidance, yet we don't want to go through the nitty-gritty details at this point.

But yes. The guidance will – and it will be joint guidance. It will go to all the core programs. It will include the calculations for each of the measures who are in the numerators and who are in the denominators, and it will include the written definitions. Melinda mentioned some of them about reportable individuals, exiters, the like. It's – it has the timeframes for reporting. We also included the cohort, the reporting timelines in the Information Collection Request that's – that was as part of the approved packages, the quarters for each measure.

And someone asked and we mentioned – someone asked me, well, in your November report, if we're understanding correctly, there won't be any exiter information. And that's correct, and we included in the – I believe we included in the final rule or at least in the ICR – in the information collection request – we included the chart of the data availability, and that is in this presentation.

If you care to look at it at your leisure, I encourage you to look at it, and it shows when we expect that data will be available, given the lag, given the definitions and the quarters of reporting and then the lag using wage record information or supplemental information, according to what's available for reporting purposes.

So it will be – it's going to be a challenge when people start asking, well, what about outcomes under WIOA? And we won't have any for a bit. So for those programs that are reporting on a quarterly basis, which are the Title I, Title III, and Title IV, except Title IV is not reporting in this first year on a quarterly basis on WIOA, you're collecting data but you're not reporting it yet.

So we're looking at the Titles I and III quarterly reports just for counts of participants and seeing – and then by the end we should have some information on measurable skill gains.

All right. Let's go to the questions. Let's see. Cheryl, do you – there's a question about Title II quarterly reporting.

MS. KEENAN: Yeah. Sure. I can do that clarification. There's a really good question here saying, "Did you really say that there will be no Title II quarterly reporting?"

So that does require some clarification. At the state to federal level, states are only required to report aggregate data to the U.S. Department of Education annually. However, states are required to collect data from their local providers quarterly. So if you are a local program and you're on here, you are required to submit quarterly reports to your state as they instruct you to, and if you are a state on here, the state is required to aggregate that information one time and submit it annually on October 15th.

MR. MURREN: Great. Great. Thanks, Cheryl. This is Luke, everybody. Want to jump on the next question. We'll probably be jumping around here a little bit as we get the questions in. Got a question about the case management system and if it's accessible to those with a disability.

From my perspective at DOL, I have not personally tested the new system that launched the beginning of October. So I can't say, yes. I've seen with my own eyes it works. However, I was told by the IT folks who build – the developers that FOIA compliance testing is part of the release in the production and that that was passed.

So I will give a tentative yes on Department of Labor's side, but again, I always reserve at least a little bit just because I've never seen it myself but I will say the yes. And if it's not, that that is absolutely the intent that the new reporting system at DOL for all states will be FOIA compliant for those with disabilities.

MS. KAUFMAN: All right. So the next question deals with the quarterly reporting on the 911. The question is, "With the report due on November 15th, 2016 that has opening cases plus the cases that were closed in the first quarter of the program year, what wage data, if any, would be included in that 911?"

We would not expect to see too much. With the UI verifications, if you're using a UI wage record match, it oftentimes takes a couple of quarters before the UI wage match comes back. So I would not expect to see that. Depending on what kind of supplemental verifications or what kind of access you have to other payroll, whether it's state, federal, military, it would depend on when you have access to that as to when it would be populated.

MS. STAHA: Thank you, Melinda. We did – someone asked if you could publish the period of participation for the quarterly report, and we did. It's part of the approved ICR documents. If you look at our website performance reporting, www.doleta.gov/performance/reporting, and it has the reporting cohort. And that's actually under the joint requirements that was published. It applies to – for all the primary indicators.

And as I mentioned, yes, on the report due November 15th, there will be no exiter information because there's not enough time to have exited.

MR. MURREN: The next question that we have is a little bit – asking a little bit more clarification on reportable individuals and specifically how or if they need to be reported in the system, in the data reporting system.

The short answer is yes. They do need to be there. The how – at least, again, I'll speak for the DOL perspective. Those people in the past, as most of you know, under – in the previous reporting periods under Wagner-Peyser, we did collect the self-service only participants and included them in the individual record files that were submitted.

We anticipate that that practice would continue for reportable individuals that will – in the Titles I and III side, that will largely make up the reportable individuals. It will be those self-service participants. So in the same manner that you all collected that before, we anticipate that that's how you would continue to collect that information. Whether that be through the online case management system that you have at the state or however that worked before, that process should continue again.

Skip ahead one question because it's related. There's a question about are – if self-services – because we just talked about that – are going to extend a participant's exit date. And if we look in the joint regulations, it states in there that under WIOA a self-service does not extend – again, does not extend participation. So after staff-assisted services are complete and the participant goes and continues to do a job search at home, that will no longer prolong that exit date.

Next question we have is on a partner service and how that will work along with prolonging the exit date as well. And that gets to be a little bit more – a little trickier. We're going to talk about that a little more in the guidance, but that gets into the whole idea of a common exit because really we're talking about different partners extending the exit date only if a state utilizes a common exit date.

And again, in the regulations, it states I think pretty clearly that common exit is not required. Titles I and III will be utilizing a – encouraging – thank you, couldn't get the word out – encouraging folks to utilize a common exit between those two title programs, but, again, it's not – anything is not required. But if you were to use a common exit date, then the short answer to the question is yes. The last service with the last provider providing that service would be the "common" exit date.

MS. STAHA: The – there is a question about, "Where can I find the list of exclusion exceptions from the performance measures?"

Some of it there is a limited number. It's a more limited number, and it's – is it in the regulation or in the –

MR. MURREN: It's in the PIRL Element 923.

MS. STAHA: Oh, that's right. Yes. Look at the joint PIRL. And someone asked, "What was the PIRL?" Again, it's the Participant Individual Record Layout. It's a joint data element 923, and that lists specifically the exclusions for performance calculations.

MR. MURREN: We have a question looking at the time periods, and an example that was given, "We have a client or participant who is exiting today, October 13th, and we're looking at when exactly are we looking at the second quarter? In particular, we're probably looking for wages here."

So let's think of it in terms of calendar quarter because program years, fiscal years get a little confusing. So we're looking at the calendar. Quarter October 13th is the fourth or the final quarter of calendar year 2016. So the second quarter after – one quarter after that exit would be the January to March timeframe. So the second quarter that we're looking for is that April to June 30 timeframe. That would be the second quarter after exit for that particular case.

The next question we're getting in is asking about median earnings in the second quarter and if it's based on the total. And the short answer is yes. It will be based on the total. So if there are cases where you look and the wage records in your state or out of state show that a particular participant has three different jobs, those wages should be summed for that participant.

So in other words, if one person, one participant has three wages, it should not appear in your wage count overall to the median three times but instead be summed so that that one participant's wage is one wage per participant. So in other words, the median wages will be one represented wage per participant per participation period.

So on next question on the apprenticeship fitting in with the credential measure, that one we get into a little more detail on the – in the guidelines as well. There is some good information in that in the WIOA law itself as well as the regulations and how apprenticeships work with the eligible training providers and how they work with the measurable skill gains as well.

There's actually a particular piece in the measurable skill gains measure that talks about apprenticeship and the time in the program. I think that question largely depends on if the apprenticeship provides a credential at the end of the program. I believe that most of them do, and if there is a credential tied to the apprenticeship program, then they absolutely would count in that measure. If there is no recognized credential, then they would count in additional places in the other measures that we just talked about.

MS. STAHA: There's a question, "Why does education grant their programs extra time to get all of their case management systems to be updated but DOL is not allowing the same option?"

And while I'm not stating it specifically, I will say we did say, if you're not able to report in November, that we would allow – I encourage you to talk to your ETA regional administrator. And, Melinda, if you would like to address on your end.

MS. KAUFMAN: Sure. The reason that RSA exercised our transition authority and gave the states an extra year is because the RSA-911, the new one, contains 393 elements. Only a very small number of those overlapped with our previous collection instrument, things like Social Security number, birthdate, things like that.

So we got our collection instrument to our state partners in June. It's not really feasible to expect that our state partners would be able to turn a brand-new data collection system around in a couple of weeks. So we thought a reasonable time for them to be able to do this would be a year.

Our state partners are still collecting all of the data and will need to enter it into their case management systems once they come online so that all data reported in program year 20- – quarter one, program year 2017 for the open cases will include all elements for the new 911.

MR. MURREN: Great. Thank you. The next question we have in is asking about edit checks, and again, I'll talk about this from the DOL perspective and maybe put Melinda on the spot to ask her about the RSA folks. But for DOL, those who are familiar with the way that we've done business in the past, we have provided – there's been numerous edit checks on the variables that go into the individual record layout, with the PIRL in this case, making sure that end dates come after start dates and making sure that the data cross-validates and it works. We are planning on doing that.

We're working on that right now. The reason it's taking a little bit longer than we anticipated is because of all the cross-validation rules that we're trying to validate, frankly, in the different programs within the PIRL. So if a state wants to upload a Wagner-Peyser file, a trade file, and a discretionary grant records in one file, we need to make sure that the edit checks that are specific to those programs don't interfere, so to speak, with the other edit checks. So that's what's going on right now.

We're making good progress there, and we will certainly put those out publicly as soon as we can. So I don't really have a timeline, unfortunately, when that will be, but it will be – if everything goes smoothly and we don't have any problems, it should be in the next few weeks. If we end up having issues to validate or we incorporate them in the system, then it may take a little longer on our end.

MS. KAUFMAN: OK. And at RSA we are working on developing edit checks for our new RSA-911. We anticipate making this available to our state partners in the early part of 2017.

MR. MURREN: OK. The next question we got in was asking, in terms of the material we're going over today and perhaps in the guidance that we've referenced a few times today, if there's anything different that has been in the final rule, if there's been any new developments. The short answer is no. We don't want to on purpose change anything in the final rule.

So anything that we're talking about here should be thought of as just a supplement to the final rule or the Information Collection Request. Those documents have given some good information, hopefully, but obviously not to the detail that everybody needs to operationalize all the measures and data collection and what not.

So that's what this presentation today and in November and the guidelines are meant to do. It's not necessarily change anything but just simply supplementing, go into further detail. So nothing is changed.

Looking at next question about incumbent workers and training, "Is it excluded from the credential attainment rate?" The answer to that one is yes. There is an exclusion in the credential rate specific to incumbent worker training and, I believe – it's not in front of me – customized training.

MS. STAHA: Right. It's OJT.

MR. MURREN: And I'm sorry. And on-the-job training. Thank you. So those particular training types were purposely excluded from the credential rate.

So looking at next question asking about, "Would median earnings include the out-of-state earnings?" The short answer is yes. We are still working on a data sharing agreement which will be the successor to WRIS. The – now, we're getting in achieve business, and we will be calling – and we'll be calling this one SWIS, the State Wage Interchange System. And it will act very similar and it incorporates Department of Education so that the idea to not have WRIS, WRIS2, kind of the tiering effect.

So that will be in effect at some point. Again, I don't have a timeline on that. A couple more steps in that process, but to get back to the original question is – our anticipation is once states get that agreement in place, along with DOL and Education and states will obtain those out-of-state wage records, they will be a part of the median earnings.

So we actually did get another question on WRIS, WRIS2 and if that will be available to VR agencies. I think in terms of those specific agreements, the short answer will be no, and that is because we are focusing the efforts on the new agreement. And in that agreement VR and adult education are a part of that agreement. They've been a part of the development of the data sharing agreement so far. Some of the presenters on here have been in that work group. So it is absolutely our intent to include VR and adult ed both in the new data sharing agreement which will take the place of WRIS and WRIS2.

And for the next question I am going to throw it over to Cheryl to talk a little bit about the postsecondary programs and certificates there.

MS. KEENAN: Thank you, Luke. So the question is, "If a participant completes the postsecondary program and receives a certificate of completion but does not follow through to obtain a license, is it counted as a credential?"

And as I said in – as I was presenting, the guidelines that are forthcoming will provide much more detailed information on what constitutes a credential under that measure. So I would urge you to wait for those guidelines to come, and then the specific questions about is this a credential, does this count as a credential or not a credential could be answered. I believe that generally a certificate of completion is not on that list, but these guidelines have not been finalized as of yet.

So I don't know if, Department of Labor, you probably have more long-standing policy around that, but it is included, if you want to talk a little bit more.

MR. MURREN: Perfect. Thank you.

MS. STAHA: I don't know that we have anything to add at this point, though, Cheryl. So –

MS. KEENAN: OK. Thank you. Yeah. So I say stay tuned to the guidelines, and they will give you much more specific information about what is considered a credential under that indicator.

MS. STAHA: I mean, I would reference people to we put out guidance in 2010. I think it was Training and Employment Guidance Letter 15-10, which was issued in December of 2010, I believe, thereabouts. And that has a pretty comprehensive – it was pretty comprehensive guidance on credentials and what counts and what doesn't, and we would be using that. We would update that.

We will – it's on the list to be updated, but I would use that as a guide to – as you get into the counting of credentials. I don't see that anything significantly will change from that. Just updating it for WIOA purposes.

MS. KAUFMAN: Great. So the next question is, "Will you restate your definition of exiter for the VR program?" So I preface this by telling you that this was a very general definition, that the definition for exiter for VR is very nuanced and we weren't going to go into great detail in these definitions today.

We just wanted to give you a high level so you could follow the discussion of the measures. So the high level definition is exit occurs when the service record is closed in accordance with 34 CFR 361.56 because the participant has achieved an employment outcome and is not receiving supported employment services.

But there are 12 components to that that make it a very complicated definition that will be detailed in the guidance when it comes out. You can also listen to the training that is on the RSA website that we put out a couple weeks ago that was the intro to the changes to the 911.

MR. MURREN: Thank you. Next question I'll grab is basically asking about some of the exclusions we talked about for the credential attainment rate and whether or not they will apply to the measurable skill gains indicator. And the short answer to that is, the measurable skill gains indicator does not have any exclusions outside the global exclusions that we talked about earlier that Melinda mentioned and we mentioned in PIRL element 923. So in other words, there's nobody that is necessarily excluded from that in terms of having a particular type of training. So for that measure everybody is included.

MS. KAUFMAN: OK. The next question is related to the RSA-911 and the fact that it doesn't crosswalk to elements 1300 to 1315 in the PIRL. In the joint guidance, when it comes out, you'll see an attachment where we've broken out the calculations, and we have them mapped directly back to the RSA-911 so you'll be able to see what data elements that we'll be pulling from from the 911. For the elements specifically 1303, 1310, and 1315 we're looking at RSA elements 150, 151, 164, 170, 171, 177, 178, 184, 185, 191, 192, 198, and 199.

MS. KEENAN: All right. I wanted to – there was a question Luke answered about an exclusion to the credential attainment rate, the incumbent worker. Was incumbent worker included? And I just wanted to clarify that for performance accountability purposes, incumbent workers are not going to be included in the WIOA performance indicator calculation. So in a round-about way they're not included in the credential attainment rate.

And on the slide we said the credential attainment rate, and then the regulation you'll see it excludes people who are in on-the-job training and customized training because those training services are valuable training services. However, they may not produce a credential in the process. So they were excluded there, and then incumbent worker, people who are considered to be incumbent workers, those individuals are not included in any of the performance calculations.

There are performance reporting requirements on these individuals, however, because under Title I, local workforce development boards can use – may use up to 20 percent of their adult and dislocated worker formula allocation to provide incumbent worker training. So we – that's a considerable chunk of the resources. We want to know who is being served with these monies and how many people. So there are some reporting requirements that will be – that are specified in our upcoming guidance.

MR. MURREN: Well, thank you for the quasi-correction. So I'll take half credit.

MS. KEENAN: Oh, no. I just embellished it.

MR. MURREN: All right. So the next question is asking ETA specifically about the coding structure we've used in the past for local areas. The short answer here is that we're not anticipating any sort of changes to the coding structure where we are asking – we actually have three places now in the PIRL asking for the local board which serves a participant, first two characters or number digits would be the state code followed by a three-digit local area code. So that will remain the same.

Then the effectiveness of serving employers that Karen talked about earlier, like she mentioned, it is a joint indicator, not just for all the core programs but within Title I as well. So the short answer there is yes. It is expected that both youth and adult programs, as well as the other four core programs, would all share that and would all be included.

On that note, the effectiveness to serve employers measure metric is going to be an annual measure. So you will find it on the joint annual report for all six core programs, but it will not be expected quarterly.

Looking, the next question about the retention of the second and fourth quarter, again, Karen mentioned that as part of one of the three kind of stub ways or measures of success within the indicator for effectiveness of serving employers. Specifically looking at that one, the question is, "Are we only counting WIOA participants, or are we counting all employees?" And for this measure and any measure we would only be including those funded through a WIOA program. So we wouldn't necessarily be all employees of that company but only those who were served under WIOA funds.

Next we have a question again about effectiveness serving employers, and the question is basically looking at, if we have – there's a business with multiple outlets or multiple locations, how does that count? And if we look in the Information Collection Request, the way it's been published is that we are looking at employer establishments, not just the overall employer.

So the example that I always use is, in a state, if you are working – if One-Stops in your state is working with Walmart to partner with that employer, we would be actually looking at and counting the actual number of establishments. So if there are 10 Walmarts within a state, then we would be looking at partnering with all 10 of those instead of just the one total entity. So each establishment counts separately.

Also on that measure, we're going to – we're looking at – states are asking, "How do we decide which two options to choose?" And the short answer is, it's up to you. We – and I think I will be OK to speak for my colleagues at Department of Education. We are no favoring any particular two measures, and it is completely at the discretion at the state.

Now, I will say is it would behoove everyone to communicate across the six core programs because what would be probably a bad idea is for Titles I and III to do two measures, at the end of a year decide or see that Titles II and IV have done two different measures. So early coordination is key, but in terms of how you decide on those measures, I think that's a joint decision at the state that we don't favor here at the federal level.

MS. STAHA: There's a question, "Are slides 13 through 15 the six primary indicators of performance?" And the answer is yes. There are six primary indicators, employment rate in the second quarter, employment rate in the fourth quarter, median earnings, credential attainment, measurable skill gains, effectiveness in serving employers.

Those are the six primary indicators of performance which states are required to report on annually and in some cases there's also quarterly reporting but there is an annual report that must be submitted. And these will be used. We're not getting into today the – probably one of my least favorite topics, the inclusion of sanctions for performance failure, but it will be these six core indicators – six primary indicators that will be used to calculate the eventual – make the eventual determination of sanctions.

MR. MURREN: OK. So looking at the clock, I see we have three minutes and about 40 more questions to go. So I don't think – if my math is on, I don't think we're going to get there today. So what we will do is we will continue to answer questions for a few more minutes. We have all the questions written down here, and I think that, if anybody wants to, obviously we can look at the questions that have been submitted.

We can work on a way to get those answers back out, whether it's an FAQ document, whether we talk about them at the next session. We'll figure out a way to make sure that the answers are there, but I think that if there are additional questions as we are talking here and coming in, at the end of this slide presentation – again, not at the end of part one but at the very end and you can see it up here, if there are additional questions, they can be directed to three different places.

Basically, as you can see at the top, ETA has an inbox. Adult education has an inbox, and RSA has a website and I believe a –

MS. KAUFMAN: For RSA you can direct any performance questions to RSAdata@ed.gov or your state liaison.

MS. STAHA: So we will update the slide too with that. Yeah.

MR. MURREN: OK. So my clock's showing 4:30, and being respectful of everybody's time, we're going to throw it back to Laura to wrap us up for today. And on behalf of the presenters, we want to thank everybody for joining us, and we'll talk to you all in November.

(END)