



Category/Subject: Guidance on Data Integrity and the Customer Participation Cycle for **WIOA** Title I, *Wagner-Peyser*, and TAA Programs

Colorado Policy Guidance Letter#: MIS-2017-01, *change 1*

Revise/Replace PGL#: MIS-*2017*-01

Date: *November 28, 2018*

Distribution: CDLE Management/Finance, State/Local Workforce Directors & Staff, Partners

WIOA REVISIONS ARE YELLOW HIGHLIGHTED

November 2018 Changes are in Red Letters and Italicized

I. REFERENCES:

- Workforce Innovation and Opportunity Act, P.L. 113-128 – July 22, 2014
- Wagner-Peyser Act of 1933 amended by Title III of WIOA
- WIOA Regulations at 20CFR parts 651, 652, 680, and 682
- [Training and Employment Guidance Letter \(TEGL\) 10-16, change 1: Performance Accountability Guidance for WIOA Title I, Title II, Title III, and Title IV Core Programs](#)
- [TEGL 19-16: Guidance on Services Provided through the Adult and Dislocated Worker Programs under WIOA and the Wagner-Peyser Act, and for Implementation of the WIOA Final Rules](#)
- [TEGL 21-16: Third WIOA Title I Youth Formula Program Guidance](#)

II. PURPOSE:

- A. To provide uniform guidance for Local Areas that ensures compliance with the participation, enrollment, exit, and follow-up requirements of **WIOA**. **The WIOA changes in this PGL include, but are not limited to:**
1. **The Participation Cycle:** Revised definitions for an applicant, participation date, participation service, non-participation service, youth participant, and exiter
 2. **Exits:** Revised definition of an exit, and revised guidance regarding how to exit co-enrolled participants and how to extend participation
 3. **Follow-up:**
 - a. Revised guidance for Adult and Dislocated Worker follow-up
 - b. Completely new guidance for Youth follow-up
- B. To provide procedural guidance for the documentation and data entry of program enrollments, services, and exits that will ensure accurate and reliable data for compliance with USDOL reporting and data validation requirements. **WIOA changes in Attachment A include, but are not limited to:**
1. Procedures for enrolling WIOA Adults and Dislocated Workers
 2. Procedures for enrolling WIOA Youth
 3. Procedures for exits from National Dislocated Worker grants and other discretionary grants
- C. To provide for the first time a **WIOA services cross-walk** that identifies all reportable services and whether they are participation or non-participation services;
- D. To provide an overview of the WIOA Participation cycle for training staff in a **Powerpoint**; and
- E. To inform Local Areas of the requirement to write (or update) and submit **local policies** and procedures to implement this PGL.

III. BACKGROUND:

Section 166 of WIOA establishes performance accountability indicators and performance reporting requirements to assess the effectiveness of States and Local Areas in achieving positive outcomes for individuals served by the workforce development system's six core programs, which are the Adult, Youth, Dislocated Worker, Wagner-Peyser Employment Service, Adult Education, and Vocational Rehabilitation programs. WIOA provides a historic opportunity to align performance definitions, streamline performance indicators and ensure comparable data collection and reporting across all six of these programs, while also implementing program-specific requirements.

Specifically, this PGL addresses the participation cycle and follow-up requirements for the WIOA Title I and Trade Adjustment Assistance (TAA) programs, which relate directly to performance outcomes. Because the changes related to these topics are substantial, Local Areas should carefully review this PGL and its attachments to ensure successful local policy development and implementation by program staff.

IV. POLICY/ACTION:

A. The Participation Cycle, Case Management, Service Provision, Exits, and Follow-up: Program performance measures are keyed to the participation cycle; therefore, accurate documentation and data entry of enrollment and exit dates, as well as reportable services and follow-up services into the Connecting Colorado database, are critical. The following sections define the requirements for each of these elements.

1. The Participation Cycle: For the purpose of this guidance, the **participation cycle** is the period that begins on the **participation date** and ends on the **exit date**. The term **period of participation** refers to the duration of **participation cycle**. The following definitions apply to the participation cycle:

a. Applicant: An **applicant** is an individual who has completed a *Wagner-Peyser*, WIOA or TAA application *within Connecting Colorado* and has been determined eligible for the appropriate program.

NOTE: WIOA applications have a 90-day limit before a new application must be submitted and eligibility must be re-determined. Local areas may set a stricter policy, such as a 45 or 30-day limit, but no longer than 90 days.

b. Participation Date

i. For *Wagner-Peyser*, Title I Adults and Dislocated Workers (DWs), and TAA participants, the **participation date** is the date an eligible Applicant receives the **first participation service** (and is enrolled in the appropriate program). As used in this guidance, the terms **enrollment date** and **registration date** are interchangeable with **participation date** for these three programs.

For WIOA Youth, however, the enrollment or registration date is the date of the first participation service, but the **participation date** is the date all four program requirements have been completed (see **item f. below**). Connecting Colorado will calculate the participation date for Youth. *Local Areas have 30 calendar days after the date of eligibility to complete the 4 youth participation requirements.*

c. Participation Service: A **participation service** is a program-funded, staff-assisted service provided to an eligible applicant, other than supportive services, self-service, information-only services, administrative, local

defined, or follow-up services. (**Exception:** for Youth, supportive services are a participation service). Included are career and training services that are provided by program-funded staff and specific assessment and training services provided concurrent with approval of TAA-funded benefits. On the date the **first participation service** is provided, an eligible Applicant is enrolled in the appropriate Program (**See Attachment B, WIOA Service Crosswalk**).

- d. **Non-Participation Service:** A **non-participation service** is a service or activity that does not commence or extend program participation. Supportive services, self-service, information-only services, administrative, follow-up services, and locally defined services are non-participation services (**Exception:** for Youth, supportive services are a participation service). (**See Attachment B, WIOA Service Crosswalk**).
- e. **Reportable Individual:** *A reportable individual is an applicant who receives only self-service or information only services and is not counted for performance for WIOA Title I, TAA or Wagner-Peyser. These individuals are automatically assigned the ES Wagner-Peyser program code by Connecting Colorado. Enrollment in other than the Wagner-Peyser program requires data entry of the program code into Connecting Colorado.*
- f. **Participant**
 - i. For the Title I Adult and DW, and TAA programs, a **Participant** is an eligible Applicant who has received at least one **participation service** on or after the date the Applicant was determined eligible.
 - ii. For the Title I Youth program, a **Participant** is an applicant who has satisfied all applicable program requirements for the provision of services, including eligibility determination, an objective assessment, and development of an individual service strategy, and received one or more of the 14 WIOA Youth program elements identified in sec. 129(c)(2) of WIOA. **Local Areas have 30 calendar days after the date of eligibility to complete the 4 youth participation requirements.**
 - iii. *For the Wagner-Peyser program, a **Participant** is an applicant who receives one or more staff-assisted services in addition to any self-service or information only service, and is reported to USDOL for performance. These individuals are automatically assigned the PT Wagner-Peyser program code by Connecting Colorado.*
 - iv. *Enrollment in other than the Wagner-Peyser program requires data entry of the program code into Connecting Colorado.*
- g. **Exiter** - An **Exiter** is a Participant who has not received a participation service for 90 consecutive calendar days, has no gap in service, and is not scheduled for future services. Exceptions to this definition are listed in section 4b below.

2. Case Management

Case Management is a client-centered approach in the delivery of services designed, for instance, to prepare and coordinate comprehensive employment plans to enable participants to access needed activities and services. Therefore, by its very nature, “case management” includes administrative functions such as regular contact with training providers, an employer or the participant to assess training progress, employment status, or the need for additional services, respectively. Caseload management functions such as contacts with service providers, paying invoices,

contacts with former participants to update employment status or to secure documentation, and activities such as data entry are certainly **part** of case management, but they are administrative in nature and are not considered a service that would commence participation or extend exit according to USDOL policy guidance. These functions are appropriately recorded as **administrative services**, and they will have no affect on the participation period.

3. Service Provision

It is essential to the integrity of participant data that services entered into the record reflect services actually provided to the Participant and that all activities involving a participant are correctly identified and accurately recorded in the participant's Connecting Colorado record. In addition, whether or not the service was anticipated in the Individual Employment Plan (IEP) or Individual Service Strategy (ISS), there should be a clear indication in a case note that the service will aid in the attainment of a goal(s) specified in the IEP or ISS. In other words, **each participation service requires a case note (*confidential or ES case note, as appropriate*) that includes a description of the service provided. *This requirement applies to each participation service provided by every program (and its Connecting Colorado agent) in which the customer is co-enrolled. However, if the service is provided in a group setting or by an E-Stop agent, information regarding services must be identified on the comment line for each service provided.***

4. Exits

An **Exiter** is a Participant who has not received a **participation** service for 90 consecutive calendar days, has no gap in service, and is not scheduled for future services. For an explanation of extending a gap in service beyond 90 days, see 4(d).

a. Exit Defined: (see 20 CFR 677.150 for full definition) – Exit is the point after which a participant who has received services through any program meets the following criteria:

i. For the adult, dislocated worker, youth and TAA programs, **authorized under WIOA title I, and the *Wagner-Peyser Program (PT program code)* Employment Service program authorized under the Wagner-Peyser Act, the exit date is the last date of a participation service, unless there is a planned gap in service (see item d below).**

ii. The last day of a participation service cannot be determined until at least 90 days have elapsed since the participant last received services; participation services do not include supportive services (except for youth), self-service, administrative, information-only services, follow-up services, or locally defined services. This also requires that there are no plans to provide the participant with future services.

b. Co-enrolled Exiters: A co-enrolled participant cannot be exited until participation has been completed for all of the programs in which the participant is enrolled. This is consistent with USDOL's requirement that – at a minimum – there be a common exit date across WIOA ***Title I***, TAA and ~~Employment Service programs, such as Employment Service (ES)-*Wagner-Peyser (PT)*~~. There is one exception to this rule, as follows:

i. **Discretionary Grants** - Exit in a discretionary grant program must occur when participation in that grant has been completed or the grant expires. **For National Dislocated Worker Grants (*formerly called National Emergency Grants – NEGs*)**, participants must be exited no later than the

date the grant expires, but exits prior to the expiration date must follow the 90-day rule. The data entry procedure is illustrated in **Attachment A.14**.

NOTE: If an individual is co-enrolled in the WIOA youth program and any other program, and is receiving supportive services, this service will be considered a participation service and will extend participation *in all programs subject to the common exit requirement*.

- c. **Extending Program Enrollment:** With the exception of supportive services, self-service, information-only services or activities, follow-up services, administrative services, and locally defined services, every service provided to a Participant (including supportive services for Youth only), once recorded, establishes a new exit date. It is expected that, in the course of reviewing the Connecting Colorado Caseload Report, the Case Manager will attempt to contact a Participant who appears to have become inactive to determine the Participant's status. If the contact results in the delivery of a participation service, the service and a case note must be recorded. An offer to provide a service or a scheduled appointment to provide a service must not be recorded as a participation service, although the contact and the results should be entered as an *administrative service*. *Appropriately documented*. Program participation is only extended when a qualifying participation service is provided to a Participant and recorded *in Connecting Colorado*, or when an allowable gap in service is recorded in Connecting Colorado.
- d. **Gap in Service:** A gap in service prevents an unintended exit from occurring and may be utilized by the Case Manager in one of three allowable circumstances:
- i. Delay before the beginning of training;
 - ii. Health/medical condition or providing care for a family member with a health/ medical condition;
 - iii. Temporary move from the area that results in temporary discontinuance of services, including National Guard or other related military service.

The duration of the **gap in service** (PG service) cannot *initially* exceed 180 days, and the Case Manager must document one of the above circumstances in addition to the participant's intent to continue services once the issue prompting the gap in service has been resolved.

The Case Manager's **case notes** must refer to physical documents as well as notes from the interview with the Participant specifying the reason for the gap and the Participant's intent to complete the agreed-upon IEP/ISS. The Case Manager may approve continued suspension of services for an additional period of up to 180 days to address unforeseen circumstances that arise during the first gap in service. A Participant cannot exit prior to the actual end date of a PG service. *If a participant does not return from a planned gap to re-engage in services, the case manager should ask the local MIS representative to exit the participant the record should be terminated* to the date of the last participation service.

NOTE: A planned gap in service *and the exit described above* can only be entered by an MIS representative. Staff should contact their local MIS representative for assistance in storing a Gap in Service *or a related exit*.

5. Follow-up Services and Follow-up Contacts

- a. **Distinguishing Between Follow-up Services and Follow-up Contacts:** The provision of follow up **services** represents value-added from the participant's perspective, whereas the **activity** of following up with the participant through telephone, letter or e-mail contact represents value-added from the local center's perspective. Both are necessary. However, although regular contacts between local staff and current and former participants are necessary, this is an administrative function necessary to support case management and should not be considered a service that supports the individual's service plan and their attainment of specified goals.
- b. **Follow-up for WIOA Title I Adult/Dislocated Worker Exiters:** Local Areas must provide follow-up services for adults and dislocated worker participants who are placed in unsubsidized employment, for not less than 12 months, once employment has commenced. Follow-up services do not extend the date of exit in performance reporting. The exit date is determined when the participant has not received participation services in the Adult or Dislocated Worker program or any other DOL-funded program in which the participant is co-enrolled for 90 days and no additional services are scheduled. At that point, the date of exit is applied retroactively to the last date of a participation service. Once 90 days of no participation services has elapsed and the participant has an official exit date applied retroactively to the last date of service, the program continues to provide follow-up services for the remaining 275 days of the 12-month follow-up requirement. The 12-month follow-up requirement is completed upon one year from the date of exit.

The State is establishing the following definition of follow-up services for WIOA Adults and Dislocated Workers: **“Any career or supportive service (but not a training service) that directly supports the continued employment of the adult or dislocated worker customer.”** We expect that such services are called follow-up services in case management and Connecting Colorado, and that they are reported to USDOL as follow-up services. Such services will be entered in Connecting Colorado with the regularly assigned service code, **but with the addition of the FL (follow-up) code (entered in the Related Activity field)** for tracking and reporting purposes. In addition, Local Areas will identify how the follow-up service supports the continued employment of the customer. This is to be entered in the notes section of the service data entry screen and must identify purposes such as “needed to provide transportation to and from the work site” or “needed to help resolve an on-the-job work issue,” etc.

Follow-up services for adults and dislocated workers are designed to ensure job retention, wage gains and career progress but do **not** count as **participation services** and do **not** extend the participation period. Also note that, while follow-up services must be made **available**, not every adult and dislocated worker will want or need such services. Whether or not the adult or dislocated worker exiter receives follow-up services, the Case Manager is expected to contact, or attempt to contact, the Participant who was employed at exit at least once in the 12-month period following the exit date.

Supportive services also may not be used to extend the date of exit for performance accountability purposes for AD or DW. Supportive services, like follow-up services, do not make an adult or dislocated worker a participant or extend participation.

- c. **Follow-up for WIOA Title I Youth Exiters:** 20 CFR § 681.580 describes follow-up services as “critical services provided following a youth’s exit from the program to help ensure the youth is successful in employment and/or postsecondary education and training. Follow-up services may include regular contact with a youth participant’s employer, including assistance in addressing work-related problems that arise.” Follow-up services may begin immediately following the last expected date of service in the Youth program (and any other USDOL program in which the participant is co-enrolled) when no future services are scheduled. Follow-up services do not cause the exit date to change and do not trigger re-enrollment in the program.

The exit date is determined when the participant has not received participation services in the Youth program or any other USDOL-funded program in which the participant is co-enrolled for 90 days and no additional services are scheduled. At that point, the date of exit is applied retroactively to the last date of service. Once 90 days of no participation services has elapsed and the participant has an official exit date applied retroactively to the last date of service, the program continues to provide follow-up services for the remaining 275 days of the 12-month follow-up requirement. The 12-month follow-up requirement is completed upon one year from the date of exit.

The final rule also states that follow-up services for youth also may include only the following youth program elements:

- i. supportive services;
- ii. adult mentoring;
- iii. financial literacy education;
- iv. services that provide labor market and employment information about in-demand industry sectors or occupations available in the local area, such as career awareness, career counseling, and career exploration services; and
- v. activities that help youth prepare for and transition to postsecondary education and training.

Provision of these program elements must occur after the exit date in order to count as follow-up services. Follow-up services should be documented in the case file that they were provided as follow-up services post exit.

The State is establishing the following definition of follow-up services for WIOA Youth: **“Any career or supportive service (but not a training service or other than the 5 allowed youth program elements) that directly supports the continued employment or post-secondary success of the youth customer.”** We expect that such services are called follow-up services in case management and Connecting Colorado, and that they are reported to USDOL as follow-up services. Such services will be entered in Connecting Colorado with the regularly assigned service code, **but with the addition of the FL (follow-up) code (entered in the Related Activity field)** for tracking and reporting purposes. In addition, local areas will identify how the follow-up service supports the continued employment or post-secondary success of the customer. This is to be entered in the notes section of the service data entry screen and must identify purposes such as “needed to provide transportation to and from the work site” or “needed to support continued attendance in post-secondary school,” etc.

20 CFR § 681.580 states that all youth participants must be offered an opportunity to receive follow-up services that align with their individual service strategies. Furthermore, follow-up services must be provided to all participants for a minimum of 12 months unless the participant declines to receive follow-up services or the participant cannot be located or contacted. Follow-up services may be provided beyond 12 months at the Local WDB's discretion. The types of services provided and the duration of services must be determined based on the needs of the individual and therefore, the type and intensity of follow-up services may differ for each participant. Follow-up services must include more

than only a contact attempted or made for securing documentation in order to report a performance outcome.

Some youth may not be responsive to attempted contacts for follow-up, and other youth may be difficult to locate making it impossible to provide follow-up services for such individuals. Local programs should have policies in place to establish how to document and record when a participant cannot be located or contacted. At the time of enrollment, youth must be informed that follow-up services will be provided for 12 months following exit. If at any point in time during the program or during the 12 months following exit the youth requests to opt out of follow-up services, they may do so. In this case, the request to opt out or discontinue follow-up services made by the youth must be documented in the case file

d. Follow-up for Co-enrolled TAA Exiters: An employed TAA exiter who is co-enrolled in a WIOA Program must be contacted post-exit according to the instructions in paragraph 5.b, above. Otherwise, follow-up contacts and services to TAA Participants are optional. Case Managers should note, however, that these services and activities might have a direct and positive impact on the employment retention and wage gains of Participants who enter employment.

e. Follow-up Codes:

- 1) **FN Activity Code:** A follow-up activity code **FN** is added to the **Applicant Store Service Menu** screen for Case Managers to utilize when recording a follow-up *contact*, which does not have to be with the former participant (e.g., could include contact with a family member or the employer).
- 2) **Related Activity Field and the FL Code:** A field has been added to the **Applicant Store Service** data entry screen. By entering **FL** in the **Related Activity** field, the Case Manager identifies a follow-up service rather than a participation service. In so doing, the Case Manager prevents the reactivation and extension of the exiter's Program enrollment. For data entry instructions, refer to **Attachment A.14**.

f. Local policy may require more frequent follow-up: This guidance does not supplant local policies. Local procedures can require follow-up contacts and/or services to all partner program exiters beyond the minimum requirements of this PGL.

6. Timely and Accurate Data Entry

Ideally, Case Managers will record a service immediately on the date the service is provided. The advantages of this practice are evident: the Case Manager, other One-Stop office staff, the clients and Program monitors all gain the benefits of accurate recording and timely data availability. While this is a logical standard for timeliness of data entry, adherence is not always practical or feasible. To avoid undue delays and any negative impact on data integrity and quality of service, this guidance establishes the following standards:

- a. The maximum interval allowed between the date a service is provided (or begun) and the date the service is recorded is 14 calendar days. Although this is system-enforced, Local areas are urged to establish proactive procedures designed to assure compliance with this policy
- b. Recording a date of service (**Start** date) other than the date the service was actually provided (or begun) is prohibited.

B. WIOA Services Crosswalk: To assist with entry of appropriate services, which may trigger participant status in WIOA programs, CDLE has compiled a WIOA Services Crosswalk (see **Attachment B**) that identifies all services that are reported to USDOL.

The crosswalk provides:

1. The WIOA service name
2. The related Connecting Colorado service name(s) and service code(s)
3. Whether or not the service triggers participation
4. Which PIRL (Participant Individual Record Layout) item is reported to USDOL as a result of entering the service

NOTE: The WIOA Services Crosswalk contains only those services that are reported to USDOL. With rare exceptions, any Connecting Colorado service not listed on the crosswalk will NOT be reported to USDOL.

C. WIOA Participation Cycle PowerPoint: To assist with training staff on the extensive changes that are part of the WIOA participation cycle, a training PowerPoint has been created and serves as Attachment C to this PGL. This PowerPoint was delivered during the September 2017 Colorado Workforce Forum webinar.

D. Development of Local Policies and Procedures: Local areas are required to review and revise pertinent local policies and procedures to align with this PGL and to include the following topics:

1. Guidance that defines the term **Participation Cycle** as the period that begins when an **Eligible Applicant** receives the first **Participation Service** and ends on the date the Participant receives the last Participation Service, and includes all definitions addressed in section IV.A.1. of this PGL;
2. Guidance that identifies the criteria to distinguish participation services from those that are non-participation services, such as caseload management/administrative activities. Include the procedure for recording the AD caseload management/administrative service code, and the requirement that a case note must be included with each recorded participation service.
3. Procedures for providing follow-up services to, and contacts with, Program exiters that include definitions of these terms and specifies the timing and frequency of follow-up.
4. The local definitions of follow-up services that may align with the state definitions or may further restrict which follow-up services may be provided. This guidance must include any limits on costs, and procedures to record follow-up services in the case

file, which include the requirement that a case note be entered for each follow-up service.

5. Guidance that incorporates the changes and updates to the Connecting Colorado system and resulting procedural changes that are covered in this PGL
6. Policy and guidance that establishes, as the minimum, the standard for timely data entry as set forth in this PGL (14 days).

In addition, local internal monitoring policies and procedures should include the review of case files for all items related to the Participation Cycle, exits, and follow-up services.

Local areas are required to submit policy and procedure revisions to CDLE Regional Liaisons for review not later than 90 days after the receipt of this PGL. Local policies and procedures may be the same or more restrictive than the guidance in this PGL, but may not be less restrictive.

E. Additional Responsibilities: Local areas are expected to:

1. Ensure that Case Managers are trained in and are correctly executing the instructions in **Attachment A**.
2. Direct Case Managers and others who conduct internal monitoring to review Applicant and Participant files to ensure that they contain the documents required for the purpose of data validation. (See PGL MIS-2016-02: Data Validation Guidelines)

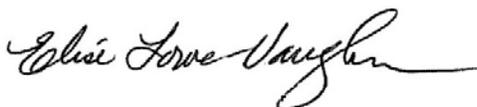
3. Local workforce areas are advised to conduct a careful and detailed review of the WIOA changes in this PGL. In addition, local areas should disseminate this PGL to appropriate staff, provide training to staff, and ensure that local policies and procedures are revised to incorporate the changes. Regional Liaisons will be available to provide technical assistance as needed.

F. Case Files: Local areas are encouraged to:

1. Set standards for the organization of documents within physical and electronic (scanned) Participants' files. This includes discretionary grant files, along with Wagner Peyser job seeker applications and employer job orders.
2. Utilize digital scanning of case files.

V. IMPLEMENTATION DATE: The provisions of this PGL apply beginning July 1, 2016. However, local policy drafts are due to Regional Liaisons no later than 90 days after receipt of this PGL.

VI. INQUIRIES: Please direct inquiries to your Regional Liaison at Workforce Development Programs.



Elise Lowe-Vaughn, Director
Workforce Programs, Policy, and Strategic Initiatives

ATTACHMENTS:

- A. Procedures for Enrolling and Exiting WIOA/TAA Participants and Recording Participant Services, *Revised November 2018*
- B. WIOA Service Crosswalk
- C. WIOA Participation Cycle Training PowerPoint