

### **Minnesota Definitions of MSG**

There are five methods for a participant to obtain a Measurable Skill Gain as outlined in the Federal <u>Training</u> and <u>Employment Guidance Letters (TEGL)</u> and <u>Technical Assistance Centers (TAC)</u>. Minnesota has further defined these methods here.

#### METHOD #1: EDUCATIONAL FUNCTIONING LEVEL (EFL) GAIN

Method #1 documents at least one educational functioning level (EFL) achievement of a participant who is receiving instruction below the post-secondary level.

#### Method 1a: EFL Gain via Pre-Test/Post-Test

Gains can be made when one full EFL gain is achieved as demonstrated by a pre-test and post-test

- Tests approved by Minnesota's Title II program as listed in their established requirements are authorized to demonstrate EFL gains (e.g. TABE, BEST Plus, and CASAS, as well as tests determined to be suitable for use by the <u>National Reporting System for Adult Education</u> are authorized to demonstrate EFL gains
  - Source: <u>Minnesota Adult Basic Education Assessment Policy</u>
  - Source: <u>81 FR 89920- Tests Determined To Be Suitable for Use in the National Reporting System</u> <u>for Adult Education</u>
- Test results can be no older than six months

#### Method 1b: EFL Gain via Carnegie Credits

Gains can be made when a transcript shows grades of D- or higher. The number of Carnegie credits to qualify for an EFL gain is in the process of being defined by Title II.

#### Method 1c: EFL Gain by Entry into Post-Secondary Education

Gains can be made when a participant enters into post-secondary education after receiving instruction below the post-secondary level

Accepted Documentation

- Copy of pre- and post-test results showing one full EFL gain
- Transcript with grades at a D- or higher
- Documentation of entry into post-secondary education, such as a college enrollment letter or data matching with post-secondary institutions

#### METHOD #2: ATTAINMENT OF A SECONDARY SCHOOL DIPLOMA

Gains can be made by a participants who attains one of the following:

- Secondary School Diploma
- General Education Development (GED)
- Standard Adult Diploma
- Credit Completion Diploma

Accepted Documentation

- Copy of the diploma or its recognized equivalent
- Secondary transcript or report card showing attainment of the diploma or its recognized equivalent

#### METHOD #3: TRANSCRIPT OR REPORT CARD MEETING MINNESOTA'S ACADEMIC STANDARDS

Gains can be made by a participant who is attending secondary or post-secondary education and is meeting Minnesota's academic standards.

#### Secondary (K-12) Education Academic Standards

- The report card or transcript demonstrates satisfactory achievement (D- or higher in traditional grading systems or "satisfactory" or "passing" grade in non-traditional grade systems) in all classes by the participant for one semester within the program year
- The report card or transcript must not indicate the participant dropped out of school, was removed from the institution, or any other conditions that indicate removal on academic or conduct grounds

#### Post-Secondary Education Academic Standards

- Successful completion means the transcript shows a C or better in each course unless the academic program has a different minimum standard
- Full time students must successfully complete a minimum of 12 credits within one semester (or equivalent)
- Part time students must successfully complete a minimum of 12 credits over the course of two completed semesters (or equivalent) over a 12 month period
  - $\circ~$  If the semesters cross over two program years, the achievement of the MSG occurs in the program year of the second semester
- The transcript must not indicate the participant dropped out of school, was removed from the institution, or any other conditions that indicate removal on academic or conduct grounds

Accepted Documentation

- Secondary Education/K-12: Report card or transcript with grades at a D- or higher in traditional grading systems or "satisfactory" or "passing" grade in non-traditional grading systems
- Post-secondary Education: Report card or transcript with grades a C or higher, or grades meet the minimum academic standards for the program
  - o Include documentation verifying what the minimum academic standards for the program are

#### METHOD #4: PROGRESS REPORT FROM AN EMPLOYER OR TRAINING PROVIDER

Gains may be made by a participant enrolled in job skills training who is meeting milestones or otherwise making satisfactory or better progress. Job skills training includes:

- On-the-Job Training (OJT)
- Customized Training
- Internships
- Registered Apprenticeship

#### OJT, Customized Training, and Internships

- While not a requirement, a <u>formal agreement or contract</u> with the employer or training provider is important to put in place upon initiating the job skills training. The agreement includes:
  - o Timeframes
  - o Expectations for skill gains, skill improvements, or milestones
  - Wages
  - Hours worked

- The <u>Employer Verification of Skill Attainment form</u> *at minimum* must be completed upon conclusion of the training.
  - If the duration of the training is greater than one year, the Employer Verification of Skill Attainment form may be completed each program year, but again, at minimum, must be completed upon conclusion of the training.
- A skill gain is achieved when the form verifies one of the following:
  - o Skill improvement
  - o Skill gain
  - An increase in wages, or
  - $\circ$  An increase in hours worked

#### Internships

Programs will only take an MSG for completion of an internship when the internship is not a required component of a training program leading to a recognized postsecondary credential.

#### Registered Apprenticeship

- A measurable skill gain (MSG) is achieved upon successful completion of one year of a Registered Apprenticeship and upon conclusion of the training, or
- A MSG is achieved when the Employer Verification of Skill Gain form documents:
  - o Skill improvement
  - o Skill gain
  - An increase in wages, or
  - An increase in hours worked

Accepted Documentation

- Completed Employer Verification of Skill Attainment form
- Documentation from the employer or training program showing completion of one year of a Registered Apprenticeship
- Documentation showing the completion of a Registered Apprenticeship
- Department of Labor Registered Apprenticeship forms that verify an MSG

#### METHOD #5: SKILLS PROGRESSION VIA EXAM

Gains may be made by a participant who successfully passes an exam that is required for a particular occupation or shows progress attaining technical/occupational skills as evidenced by a trade-related benchmark.

To determine if the exam qualifies for a measurable skill gain, use the following checklist:

- 1. Is it an official exam, test, or assessment with pass/fail benchmarks?
- Is the exam, test, or assessment required for entry or advancement in a particular occupation? OR

Is the exam, test, or assessment required for completion of a credential?

If the answers to Questions 1 and 2 are "yes", the exam, test, or assessment qualifies for a skill gain.

Accepted Documentation

• Copy of official exam, score sheet, or letter indicating the passing of the exam

## **Important Considerations**

It is recognized that not every participant in education or training will qualify to make a gain based on report timing. The system must strive to meet the needs of the participants first. Programs should not delay enrollment or services to participants until a new program year, even if programs believe there is insufficient time for the participant to make any type of measurable skill gain by the end of that program year.

## Who is Excluded from MSG Calculations

#### Title I, II, and IV

- Participants exiting the program due to incarceration or who have become a resident of an institution or facility providing 24-hour support
- Participants exiting the program because of medical treatment expecting to last longer than 90 days and which precludes entry into employment or continued participation in the program
- Participants who are deceased
- Participants exiting the program because of membership with the National Guard or other reserve military unit of the armed forces and who are called to active duty for at least 90 days

#### Title I Adult/Dislocated Worker

• Participants not enrolled in education or training leading to a recognized credential

#### Title I Youth

• Participants in the foster care system exiting the program due to moving away from the local workforce area as part of such a program or system

#### Title IV Vocational Rehabilitation Services & State Services for the Blind (Vocational Rehabilitation)

- Participants not enrolled in education or training leading to a recognized credential
- Participants who were determined eligible for program services but are later determined not to have met the program's eligibility criteria

### Resources

#### TAC 17-01: Performance Accountability Guidance for WIOA Title I, Title II, Title III, and Title IV Core Programs

TEGL 10-16, Change 1: Performance Accountability Guidance for Workforce Innovation and Opportunity Act (WIOA) Title I, Title II, Title III and Title IV Core Programs

The purpose of this guidance is to provide sub-regulatory guidance on the requirements set forth in WIOA, related to the implementation and operation of the performance accountability system under section 116 of WIOA and the implementation of joint regulations in 20 CFR part 677 (and 34 CFR parts 361 and 463). As explained further in this guidance, WIOA requires all states and direct grantees of the Departments to collect and report information on all the participants described in this TAC.

WIOA Joint Rule for Unified and Combined State Plans, Performance Accountability, and the One-Stop System Joint Provision

The Departments of Education (ED) and Labor (DOL) issue this Joint Final Rule to implement jointly administered activities authorized by Title I of the Workforce Innovation and Opportunity Act (WIOA) signed into law on July 22, 2014.

Measurable Skill Gain Learning Module

E-Learning technical assistance highlighting the Measurable Skill Gains indicator of performance. It explains the five type of acceptable WIOA measurable skill gains, shows the learner how to calculate the indicator, and provides examples to help the learner understand who should be included in the indicator. Contents include definition, description the five types of gains, calculations, scenarios, and additional resources.

### Optional Template: On-the-Job Training (OJT) Contract

#### **CONTRACT PURPOSE**

The purpose of this contract is to establish the general terms and conditions of the On-the-Job Training ("OJT") program.

#### **OJT DEFINITION**

The term "on-the-job training" means training by an employer that is provided to a paid trainee while engaged in productive work. This training will:

- a) provide knowledge or skills essential to the full and adequate performance of the job;
- b) qualify for reimbursement to the employer of a portion of the wage rate of the Trainee, for the extraordinary costs of providing the training and additional supervision related to the training; and
- c) limit the OJT contract period of time for a trainee to become proficient in the occupation for which the training is being provided. In determining the length of the training, consideration should be given to the skill requirements of the occupation, the academic and occupational skill level of the trainee, the prior work experience of the trainee, and the individual employment plan, as appropriate.

#### **SECTION 1: OJT AGREEMENT**

This On-the-Job Training Agreement is between (Agency) and **Error! Reference source not found.**, the employer. Both parties agree to the terms and conditions in this contract. The contract begins on (enter start date here) and ends on (enter end date here).

#### **SECTION 2: CONTACT INFORMATION**

*Complete the contact information for the OJT Service Provider and the Employer.* 

OJT SERVICE PROVIDER: Error! Reference source not found.	CONTACT PERSON:	TELEPHONE #:
OJT ADDRESS:	EMAIL:	FAX #:
EMPLOYER NAME: Error! Reference source not found.	F.E.I.N. #	MN ID #:
EMPLOYER ADDRESS:	CONTACT PERSON:	EMAIL:
	TELEPHONE #:	FAX #:

#### SECTION 3: TRAINEE INFORMATION AND TRAINING PLAN

Complete the contact information for trainee and reimbursement rates.

TRAINEE NAME:	Sel	ect One: New Hire 🗌 <b>OR</b> Current Employee 🗌
SOCIAL SECURITY #:		TELEPHONE #:

BEGINNING DATE:	TRAINING END DATE:			
JOB TITLE:	0*	*NET SOC #:	O*NET JOB ZONE:	
JOB DESCRIPTION:				
LABOR MARKET OUTLOOK:				
STARTING HOURLY WAGE RATE: \$	EX	PECTED HOURLY WAGE R	ATE AT END OF TRAINING: \$	
TOTAL TRAINING HOURS:	WEEKLY	WORK HOURS:	REIMBURSEMENT RATE: %	
SKILLS TO BE LEARNED / CLASSROOM TRAIN	NING REQU	IRED:	ESTIMATED TRAINING HOURS:	
1. SKILL TO BE LEARNED / CLASS REQUIRED			HOURS	
2. SKILL TO BE LEARNED / CLASS REQUIRED			HOURS	
3. SKILL TO BE LEARNED / CLASS REQUIRED			HOURS	
4. SKILL TO BE LEARNED / CLASS REQUIRED			HOURS	
5. SKILL TO BE LEARNED / CLASS REQUIRED		HOURS		
6. SKILL TO BE LEARNED / CLASS REQUIRED			HOURS	
7. SKILL TO BE LEARNED / CLASS REQUIRED		HOURS		
8. SKILL TO BE LEARNED / CLASS REQUIRED		HOURS		
9. SKILL TO BE LEARNED / CLASS REQUIRED		HOURS		
10. SKILL TO BE LEARNED / CLASS REQUIRED		HOURS		
TOOLS, UNIFORMS, SUPPLIES NEEDED FOR TRAINING:				

#### SECTION 4: GENERAL TERMS AND CONDITIONS

#### (Agency)'s Responsibilities

- 1. (Agency) agrees to pay **Error! Reference source not found.** on a monthly basis consistent with the terms of this agreement and as indicated on the authorization. (Agency) is only able to pay if there is an accurate invoice.
- 2. (Agency) agrees to process invoices within 30 days of receipt of an accurate invoice.

#### (Employer)'s Responsibilities for Current Employee Trainees

1. If the OJT is provided to one of (Employer)'s current employees, (Employer) agrees that the OJT will relate to the introduction of new technologies, introduction to new production or service procedures, or is an upgrade to a new job that requires additional skills, and that the OJT position will provide the OJT Trainee with additional wages, hours or benefits.

#### (Employer)'s Responsibilities For New Hires and Current Employee Trainees

- 1. (Employer) agrees to employ OJT Trainees who have completed their training for a minimum of 26 weeks after training has been completed. (Employer) may only discharge an employee during this 26-week period if he or she commits employment misconduct, as defined in Minn. Stat. § 268.095, subd. 6.
- (Employer) agrees to maintain adequate time and attendance, payroll, and other records to support
  amounts reimbursed under the OJT contract, as well as fringe benefits and personnel records, for three (3)
  years after the end of the contract. These records are subject to review, monitoring, and audit by the OJT
  Service Provider and any government entities, at any time and without prior notice.
- 3. (Employer) agrees to provide adequate insurance coverage to protect against legal liability arising out of OJT activity.
- 4. (Employer)**Error! Reference source not found.** agrees that the training plan in this contract is limited to the time necessary for the OJT Trainee to become proficient.
- 5. (Employer) agrees to adhere to all applicable federal, state, and local laws and ordinances, including wage, anti-discrimination, labor, employment, environmental, health, and safety laws.
- 6. (Employer) agrees to pay the OJT Trainee at the same rates, including increases, and benefits as employees who are situated in similar jobs.
- 7. (Employer) agrees that OJT funds will not be used to assist, promote or deter union organizing or religious activities.
- 8. (Employer) agrees that no member of the OJT Trainee's immediate family is engaged in an administrative capacity for (Employer), or will directly supervise the OJT Trainee. For the purpose of this contract, immediate family is defined as spouse, children, parents, grandparents, grandchildren, brothers, sisters or person bearing the same relationship to the OJT Trainee's spouse.
- 9. (Employer)'s agrees that the OJT Trainee has not been hired into a position when any other person is on layoff from the same or a substantially equivalent job within the same organizational unit or has been bumped and has recall rights to that position, nor is the OJT created in a promotional line that infringes on opportunities of current employees.

#### SECTION 5: CONTRACT MODIFICATION OR TERMINATION

- 1. (Agency) may immediately terminate this contract if federal or state funding is no longer available.
- 2. This contract will automatically terminate if the OJT Trainee voluntarily resigns. (Employer) may then submit a final reimbursement to (Agency) for the outstanding hours worked before the resignation.
- 3. (Agency) may immediately terminate this contract if (Employer) does not fulfill its responsibilities under the contract, and (Employer) must refund any moneys paid under this contract to (Agency).

4. This contract is governed and construed in accordance with the laws of the State of Minnesota. All claims relating to or arising out of this contract, including any contract or tort claims, are governed by the laws of the State of Minnesota.

#### **SECTION 6: SIGNATURES**

(Employer) agrees to all the terms and conditions in this OJT Contract.

DATE:

EMPLOYER REPRESENTATIVE NAME:

TITLE:

SIGNATURE:

(Agency) agrees to all the terms and conditions in this OJT Contract.

DATE:

(AGENCY) REPRESENTATIVE NAME:

TITLE:

SIGNATURE:

#### SECTION 7: FOR (AGENCY) USE ONLY

The number of weeks for training to be completed, calculated from estimated training hours and hours worked per week (Section 2):

Percentage of wage rate and any items to be reimbursed (list, including dollar amounts):

Total amount of reimbursement:

AGENCY REPRESENTATIVE SIGNATURE: DATE:

### Required Template: Employer Verification of Skills Attainment

This form must be completed by the employee's supervisor or an employer representative at the final review upon completion of the OJT.

Name of Employee:	Employee's Position:
Name of Employer:	
OJT Start Date:	OJT End Date:
OJT Starting Wage:	OJT Current Wage:
OJT Current Hours per Week:	OJT Starting Hours per Week:

List New Skills Gained or Improved and any Credential (s) earned during OJT:

Credential Earned:	Date Earned:
Skill Attained/Improved:	Date Attained:

Title

**Employer Representative Signature** 

Date Form Completed





# Common Performance Measures Workgroup Topic: Measurable Skill Gains (MSG) Agenda

Date: 08/02/2018
Time: 9:00-11:00
Location: DEED Headquarters, Mississippi Room
Invited Attendees: Jackie Buck (Title III), Amy Carlson (Title I-Adult/DW), Heather Farmer (Title IV-VRS), Eve Lo (Title IV-VRS), Carly Lykes (Title IV-SSB), Carrie Marsh (DEED Performance) Ibrahim Noor (Title III), John Olson (Title I-Youth), Rachel Vilsack (DEED Performance), Todd Wagner (Title II)
Facilitator: Natasha Jerde (Title IV-SSB)

### **Topic: Introductions**

Brief introductions of WIOA Core Partner representatives

### **Topic: Overview of MSG Common Performance Measure**

Briefly review the five MSGs as defined by the Department of Education and the Department of Labor. See "MSG Overview" Handout

### Topic: Review Wisconsin's "Model" MSG Guidance

Review a "model" for MSG guidance to get ideas for our state. See "Wisconsin WIOA Performance Advisory Committee" and "Wisconsin WIOA Joint MSG Detailed Guidance" Handouts

### **Topic: MSG Definitions**

Begin defining and outlining State requirements for MSGs. See "Working Document: Minnesota MSG Definitions" Handout

### **Topic: MSG Guidance Material**

Brainstorm ideas for guidance material so field staff can consistently and reliably assign an MSG to their clientele

### **Topic: MSG Reporting**

Discuss reporting requirements and needs so programs can consistently and reliably report on MSGs to their respective Federal partners

### **Topic: MSG Next Steps**

Review any "parking lot" items, develop an action plan, and assign off-line tasks

Next meeting on Credential Attainment is 8/10/2018 from 12:30-2:30 in the Mississippi Room.





# Common Performance Measures Workgroup Topic: Measurable Skill Gains (MSG) Meeting Minutes

Date: 08/02/2018 Time: 9:00-11:00 Location: DEED Headquarters, Mississippi Room Attendees: Jackie Buck (Title III), Amy Carlson (Title I-Adult/DW), Heather Farmer (Title IV-VRS), Eve Lo (Title IV-VRS), Carly Lykes (Title IV-SSB), Carrie Marsh (DEED Performance), Ibrahim Noor (Title III), Todd Wagner (Title II) Facilitator: Natacha Jorda (Title IV, SSB)

Facilitator: Natasha Jerde (Title IV- SSB)

### Topic: Review the Purpose of the CPM Workgroup and Introductions

We reviewed the purpose of this group is to bring the Common Performance Measures down to a State level. This means establishing consistent definitions and parameters that go across all Titles. Our group focuses on guidance, and each program has the responsibility to develop their own policies that align with the guidance.

Natasha Jerde explained that while she is a Title IV staff person, for purposes of facilitation, she is neutral and is not representing an agency. Her purpose is to facilitate discussion, bring the group to consensus, and help develop the tangible materials. She is purely a volunteer for this role.

Introductions were made. Each core partner was represented at this meeting, except for Title I- Youth. John Olson, Title I- Youth representative, will receive a copy of all materials and will have an opportunity to add input.

### **Topic: Brief Recap of the MSG Common Performance Measure**

The group briefly reviewed the federal language around MSGs. MSGs must be reported by all partners except for Title III. *See the MSG Overview handout*.

### **Topic: Reviewed Wisconsin's CPM Guidance**

Wisconsin has successfully implemented a WIOA Performance Advisory Committee. The Committee was developed three years ago and plays an active role in the ongoing implementation of the CPMs. Accomplishments of the Committee include:

- Joint training and guidance
- Data sharing initiatives, including a data sharing agreement with the National Student Clearinghouse to obtain credentials
- SharePoint site that maintains a list of scenarios and questions from field staff with the responses given (for example, does such-and-such count as a credential)
- Involvement on the development of the Combined State Plan
- Developed standardized work-based learning progress report
- Formed a WIOA Leadership Team subgroup composed of Senior Leadership from each Core Partner

The group reviewed Wisconsin's joint MSG guidance. We walked through some of the areas to determine if there are things we could use for our own state. We looked at how Wisconsin was defining some of the terms and what parameters they put in place. This review helped begin our work on defining MSGs at a State level.

Overall, the group likes the Wisconsin model, and we will be proposing to replicate a similar system for Minnesota.

See "Wisconsin WIOA Performance Advisory Committee" and "Wisconsin WIOA Joint MSG Detailed Guidance" Handouts

## **Topic: Defined MSGs at a State Level**

The group began defining each of the five methods for claiming an MSG. The group will refine the draft guidance off-line, and we will review at the next scheduled meeting. *See the Draft: Minnesota Joint WIOA Measurable Skill Gain Guidance*.

### **Topic: Parking Lot Items and To-Do Lists**

- 1. Add Liz Jennings from Title III to future meetings
- 2. Amy Carlson will send the Minnesota Employment Training Provider List (ETPL) information
- 3. Heather Farmer will send VRS's policy on academic standards for MSGs
- 4. Heather Farmer will send the Employment Verification of Skill Attainment form
- 5. Jackie Buck to review the Minnesota Apprenticeship Initiative reporting process, as there are 1,000 apprentices going through this project that could count towards the Common Performance Measures

Next meeting is scheduled for 8/10/18 from 12:30-2:30 in the Mississippi Room at DEED Headquarters.

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# Minnesota Common Performance Measure Joint Guidance: Credential Attainment

### **Overview**

Credential attainment is the percentage of participants enrolled in an education or training program (excluding those in OJT or customized training) attaining a recognized post-secondary credential or a secondary school diploma/recognized equivalent during participation in or within one year after exit from the program.

A participant who has attained a secondary school diploma/recognized equivalent is included in the percentage of participants who have attained a secondary school diploma/recognized equivalent only if the participant also is employed or is enrolled in an education or training program leading to a recognized post-secondary credential within one year after exit from the program.

Credential attainment is reported by Title I, Title II, and Title IV. The credential attainment rate does not apply to Title III.

### Who is Included in the Credential Attainment Calculations

#### Title I Adult/Dislocated Worker

All program participants who received training that was not OJT or Customized Training

#### Title I Youth

All in-school youth (ISY) are included since they are attending secondary or post-secondary school. Only outof-school youth (OSY) participating in one of the following are included:

- The program element occupational skills training
- Secondary education during participation in the Title I Youth program
- Post-secondary education during participation in the Title I Youth program
- Title II-funded adult education during participation in the Title I Youth program
- YouthBuild during participation in the Title I Youth program
- Job Corps during participation in the Title I Youth program

#### Title II Adult Basic Education

The following AEFLA program participants are included:

- For the secondary school credential: Participants without a secondary school diploma or recognized equivalent, who were enrolled in a secondary education program at or above the 9th grade level.
- For the post-secondary credential: Participants who were co-enrolled in a post-secondary education or training program.

#### Title III Job Seeker Services (Wagner-Peyser)

Does not apply

#### Title IV Vocational Rehabilitation Services & State Services for the Blind (Vocational Rehabilitation)

The following VR program participants are included in this measure:

• All participants who have participated in an educational or training program leading to a postsecondary credential. • All participants who are enrolled in secondary education and who have the attainment of a secondary school diploma or its equivalent identified on their Individualized Plan for Employment (IPE).

## **Reporting Credentials**

The credential attainment measure is not reported until the full year post-exit has concluded.

## **Minnesota Examples of Recognized Credentials**

#### Post-Secondary

Recognized post-secondary credentials are awarded in recognition of an individual's attainment of measurable technical or industry/occupational specific skills necessary to obtain employment or advance within an industry/occupation. These skills are generally based on standards developed or endorsed by employers or industry associations (degrees, occupational licensure, occupational certificates, etc.).

#### Examples of Recognized Post-Secondary Credentials:

- An industry recognized certificate or certification (e.g. Microsoft Information Technology certificate, Certified Nursing Assistant, certificate in business administration, Certified Welder)
- Certificate of completion of an apprenticeship or youth apprenticeship
- License recognized by state or federal government (e.g. Registered Nurse, Asbestos Inspector, Cosmetologist, Master Plumber, Licensed Professional Counselor)
- Technical diploma or associate, bachelor's, or master's (graduate) degree
- Job Corps certificate of completion for career technical training

Examples Of What Would Not Count As A Recognized Post-Secondary Credential:

- Continuing Education Units (CEUs) or certificates of completion
- Work readiness certificates (e.g. completion of soft skills training)
- Workforce Development Board awarded certificates (e.g. Academy Trainings, Boot Camps)
- General skill certificates related to safety or hygiene (e.g. CPR, OSHA, Emergency Management)
- Credentials that are not industry-recognized or sought by employers in industry (e.g. local college certificates such as Professional Communication, Global Studies, Bilingual Spanish Skills)

#### Secondary School Diploma or Recognized Equivalent

A secondary school diploma or its state-recognized equivalent is included for accountability under the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act of 2015.

Examples of a Secondary School Diploma or Recognized Equivalent:

- Secondary School Diploma
- General Education Development (GED)
- Standard Adult Diploma
- Credit Completion Diploma

Example Of What Would Not Count As A Secondary School Diploma Or Recognized Equivalent:

• Special Education Certificate

## Who is Excluded from the Credential Attainment Calculations

Participants who exited a program and who were enrolled in the following are excluded from the credential attainment indicator:

- OJT only;
- Customized training only; or
- Title III Employment Service program (Wagner-Peyser) only.

#### Title I, II, and IV

- Participants exiting the program due to incarceration or has become a resident of an institution or facility providing 24-hour support
- Participants exiting the program because of medical treatment expecting to last longer than 90 days and precludes entry into employment or continued participation in the program
- Participants who are deceased
- Participants exiting the program because of membership with the National Guard or other reserve military unit of the armed forces and is called to active duty for at least 90 days

#### Title I Adult/Dislocated Worker

• Participants not enrolled in education or training leading to a recognized credential

#### Title I Youth

• Participants in foster care system exiting the program due to moving from the local workforce area as part of such a program or system

#### Title II Adult Basic Education

• Participants not enrolled in education or training leading to a recognized credential

#### Title IV Vocational Rehabilitation Services & State Services for the Blind (Vocational Rehabilitation)

- Participants not enrolled in education or training leading to a recognized credential
- Participants who were determined eligible for program services but are later determined not to have met the program's eligibility criteria

## **Post-Secondary Credential Checklist**

The following checklist can be used as a guide by all programs to determine if a specific post-secondary training program meets the standards of obtaining a credential as defined under WIOA. This checklist is intended only as a guide.

<ol> <li>Is the certificate awarded for recognition of an individual's attainment of measurable technical or industrial/occupation skills? These are generally based on standards developed or endorsed by employers or industry associations.</li> </ol>	Y or N
2. If certificate is not a work readiness certificate, indicate <b>Yes</b> .	Y or N
3. Does the certificate recognize technological or industry/occupational skills for the specific industry/occupation rather than general skills related to safety, hygiene, etc.	Y or N
4. If certificate is not issued by a workforce development board, indicate Yes.	Y or N
<ul> <li>5. Issued by one of the eight identified entities that issue recognized post-secondary credentials.</li> <li>Note: Not all credentials awarded by these entities meet the definition of credential.</li> <li>a. State educational agency or state agency responsible for administering vocational and technical education within a state.</li> </ul>	Y or N
b. Institution of higher education as described in Sec. 102 of Higher Education Act (20 USC 1002) that is qualified to participate in the student financial assistance programs authorized by title IV (Vocational Rehabilitation) of that Act. This includes community colleges, proprietary schools, and all other institutions of higher education that are eligible to participate in federal student financial aid programs.	
c. An institution of higher education that is formally controlled, or has been formally sanctioned or chartered, by the governing body of an Indian tribe or tribes.	
d. Professional, industry, or employer organization or product manufacturer or developer using a valid and reliable assessment of an individual's knowledge skills and abilities.	
e. The Office of Apprenticeship or Apprenticeship Minnesota	
f. A public regulatory agency that awards a credential upon an individual's fulfillment of educational or work experience or skill requirements that are legally necessary for an individual to use an occupational or professional title or to practice an occupation or profession.	
g. Program approved by the Department of Veteran's Affairs to offer education benefits to veterans and other eligible persons.	
h. Job Corps, which issues certificates for completing career training programs that are based on industry skills standards and certification requirements.	
Does the credential meet the WIOA Definition of a Credential in TEGL 10-16/TAC 17-01/Memo 17-02? This is only Yes if all five criteria above are marked Y.	YES or NO

TAC 17-01: Performance Accountability Guidance for WIOA Title I, Title II, Title III, and Title IV Core Programs

TEGL 10-16, Change 1: Performance Accountability Guidance for Workforce Innovation and Opportunity Act (WIOA) Title I, Title II, Title III and Title IV Core Programs

The purpose of this guidance is to provide sub-regulatory guidance on the requirements set forth in WIOA, related to the implementation and operation of the performance accountability system under section 116 of WIOA and the implementation of joint regulations in 20 CFR part 677 (and 34 CFR parts 361 and 463). As explained further in this guidance, WIOA requires all States and direct grantees of the Departments to collect and report information on all the participants described in this TAC.

WIOA Joint Rule for Unified and Combined State Plans, Performance Accountability, and the One-Stop System Joint Provision

The Departments of Education (ED) and Labor (DOL) issue this Joint Final Rule to implement jointly administered activities authorized by title I of the Workforce Innovation and Opportunity Act (WIOA) signed into law on July 22, 2014.





# Common Performance Measures Workgroup Topic: Credential Attainment Agenda

Date: 08/10/2018 Time: 12:30-2:30 Location: DEED Headquarters, Mississippi Room

Invited Attendees: Jackie Buck (Title III), Amy Carlson (Title I-Adult/DW), Heather Farmer (Title IV-VRS), Liz Jennings (Title III), Eve Lo (Title IV-VRS), Carly Lykes (Title IV-SSB), Carrie Marsh (DEED Performance) Ibrahim Noor (Title III), John Olson (Title I-Youth), Rachel Vilsack (DEED Performance), Todd Wagner (Title II) Facilitator: Natasha Jerde (Title IV- SSB)

### **Topic: Review Draft MSG Joint Guidance**

Review the draft briefly and make notes of any changes. See "Draft Minnesota Joint Guidance on MSG".

### **Topic: Overview of Credential Attainment Measure**

Briefly review the approved credentials defined by the Department of Education and the Department of Labor. *See "Credential Attainment Overview" Handout* 

## **Topic: Review Wisconsin's "Model" Credential Attainment Guidance**

Review a "model" for credential attainment guidance to get ideas for our state. See "Wisconsin WIOA Joint Credential Attainment Detailed Guidance" Handout

### **Topic: Credential Attainment Guidance Material**

Begin defining and outlining State requirements for Credentials.

### **Topic: Credential Attainment Next Steps**

Review any "parking lot" items, develop an action plan, and assign off-line tasks

Next meeting on Services to Employers is 8/21/2018 from 9:00-11:00 in the Mississippi Room.





# Common Performance Measures Workgroup Topic: Credential Attainment Meeting Minutes

Date: 08/10/2018

Time: 12:30-1:30

Location: DEED Headquarters, Mississippi Room

Attendees: Jackie Buck (Title III), Heather Farmer (Title IV-VRS), Eve Lo (Title IV-VRS), Carly Lykes (Title IV-SSB), Ibrahim Noor (Title III), Rachel Vilsack (DEED Performance), Todd Wagner (Title II) Facilitator: Natasha Jerde (Title IV-SSB)

### **Topic: Review Draft MSG Joint Guidance**

The group reviewed the Draft MSG Joint Guidance. The following areas were discussed:

- EFL
  - o Carnegie credits number required for gain not yet defined
    - Todd Youth most impacted, need to check
    - Natasha will check with John O
- Attainment of Secondary Diploma
  - Heather added:
    - Equivalent of diploma and transcript
- Transcript or Report Card
  - Accepted documentation
    - Secondary sometimes schools give credit/count toward credential without assign
      - Decision accept A-F as well as pass/fail, satisfactory/unsat
    - Postsecondary C or better, or program standards
      - Decision
        - o allow C or better or program minimum ed program requirements
        - require documentation of program standards, but each program will need to define what is acceptable documentation of the education program standards
- Progress Report from Employer/Training Provider
  - Agreements
    - Heather remove the entire bullet because not necessary for this, skill verification form is sufficient. Concerned about dictating agreements, gets messy, and according to guidance not necessary for this work.
    - Natasha will check with Title I
  - o Verification of Skill Form
    - Heather previous guidance indicates that the skill gain form is sufficient for MSGs
  - o Internships
    - Heather only accept internships when not required for a program
    - Decision agreed

- Registered Apprenticeship
  - o Jackie per DOL requirements an apprenticeship must be defined as follows:
    - Time should be based on hours than period replace one year with 2,000 of reasonable continuous employment
    - Competency based will send language involving successful demonstration of acquired skills & knowledge
    - Hybrid include hours & demonstration of skills
  - o Decisions
    - MSGs for registered apprenticeships must be for an experience that meets DOL requirements for a registered apprenticeships.
    - Need additional information to define what a MSG for apprenticeships is.
    - Jackie will get language from DOL that defines successful skill demonstration.
    - Jackie will pursue including Registered Apprenticeship people in MSG measure, potentially under Title I
- Skills Progression Via Exam
  - Heather does exam need to be done by evaluator?
  - Carly need to include statement about exam AND administrator/proctor being recognized/official somehow
  - Rachel what about recognized by the credentialing authority?
    - Decision
      - Must be official exam, test, or assessment with pass/fail benchmarks
      - Documentation must verify where/who exam was administered
- Important Considerations
  - Natasha shared that Amy wants to include statement that all participants are included in denominator if enrolling, regardless of when during the PY. If they enroll too close to the end of the year, they are still included in denominator.
  - Decision all approve Important Considerations language

### **Topic: Brief Recap of the Credential Attainment Measure**

The group briefly reviewed the federal language around credentials. Credentials must be reported by all partners except for Title III. *See the Credential Attainment Overview handout.* 

### **Topic: Reviewed Wisconsin's Credential Attainment Guidance**

The group reviewed Wisconsin's joint Credential Attainment guidance. Wisconsin has developed a data sharing agreement with the National Clearinghouse so they can obtain credential information from behind the scenes. This prompted discussion on potential data sharing agreements Minnesota can enter into to improve our reporting of credentials. The following items were discussed in regards to Wisconsin's guidance:

- Clearinghouse data sharing agreements
  - o Rachel
    - ask for consent from student then submit SSNs to clearinghouse and pay per student
    - National scope and typically college/university level
    - Becoming a conversation at the national level, hoping that if there is enough interest DOL will facilitate

- $\circ$  Todd could also work with MnSCU, but that would only be within the State
- o Decision propose Clearinghouse agreement to senior leadership
- Determining Credentials to be included in measure
  - Natasha WI Workgroup has a committee that tracks approved credentials for purposes of this measure and maintains the list on a Sharepoint site
    - New credentials can be submitted for review by the Committee who will determine whether it should be included
  - Rachel such a list may draw the attention of employer interest groups, Governor Workforce Development taskforce, will become something that is beyond the scope of this workgroup
    - SLEDS does not upload/report frequently enough to be useful for WIOA reporting. Needs to be quarterly to be useful for WIOA reporting.
  - o Decision –

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- Do not maintain credential database
- Create checklist of criteria for approving criteria for each program to use and make determinations that best fit their needs
- Propose data sharing agreement with National Clearinghouse to verify student credentials
- Propose data sharing agreement with MDE for MARS data to potentially verify high school diplomas or GEDs to leadership

See "Wisconsin WIOA Joint Credential Attainment Detailed Guidance" Handout

### **Topic: Begin Developing Credential Attainment Guidance Material**

The group indicated that there are not specific Minnesota definitions that need to be laid out; however, we would take what Wisconsin has drafted up and review at the next meeting. *See the Draft: Minnesota Joint WIOA Credential Attainment Guidance*.

Next meeting is scheduled for 8/21/18 from 9:00-11:00 in the Mississippi Room at DEED Headquarters.

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# Minnesota Common Performance Measure Joint Guidance: Effectiveness in Serving Employers

### **Overview**

The Effectiveness in Serving Employers (ESE) measures are currently being piloted. A permanent measure is planned for Program Year (PY) 19. ESE is a shared measure between all WIOA titles per federal guidance. Minnesota has made the decision to also include some state-funded programs. Tracking services to employers varies greatly across programs in terms of degree of completion, type of information collected, and the systems used to collect the information.

Minnesota is required to report the following two measures, which are being piloted by U.S. Department of Labor (USDOL):

- Employee Retention: Participant is employed during the 2<sup>nd</sup> and 4<sup>th</sup> quarters after exit at the same employer
- Employer Penetration Rate: Number of Minnesota establishments that received an employer service

In Minnesota, the Department of Employment and Economic Development's Agency Performance Team is responsible for compiling and reporting this information to USDOL annually.

### **Employee Retention**

Employee retention measures the percentage of participants who exit and are employed with the same employer in the 2<sup>nd</sup> and 4<sup>th</sup> quarters. This information is obtained through Unemployment Insurance (UI) wage records. Note: This measure is based off data element #1618 in the Participant Individual Record Layout (PIRL) and data element #392 in the RSA-911 federal reporting tools.

### **Employer Penetration**

Employer penetration captures the percent of business establishments in Minnesota that receive services from the state workforce development system. Minnesota has further defined the types of services provided to employers to better capture the work being done. These services are cross walked to the six federally-defined categories:

- 1. Employer Information and Support Services
- 2. Workforce Recruitment Assistance
- 3. Strategic Planning/Economic Development
- 4. Untapped Labor Pools
- 5. Training Services
- 6. Rapid Response/Planning Layoff

Overview of Current Services Tracked in Minnesota

Minnesota-Defined Employer Service Category	Description of Service	Crosswalk to Federally-Defined Category
Apprenticeship/Internship Development	Worked with employers to develop/maintain apprenticeship and internship programs	Untapped Labor Pools
Bonding/Tax Credit Certification	Provided employer bonding or tax credit certification information or referral	Workforce Recruitment Assistance
Community Resources Referral	Proactive linkage and referral of businesses to community resources that support their workforce needs	Employer Information and Support Services
Disability-Awareness Training	Training on disability awareness, the Americans with Disabilities Act, and other training to assist employers in working with individuals with disabilities	Employer Information and Support Services
Diversity Program Support	Support in assisting employers develop diversity programs within their business	Untapped Labor Pools
Employer Company Profile	Assisted with MinnesotaWorks.net demographic details (contacts, demographics, jobs, etc)	Workforce Recruitment Assistance
Foreign Labor Certification	Includes H2A and H2B	Workforce Recruitment Assistance
Grant Recipients (Pathways, Partnership and Incumbent Worker)	Includes job training incentive and Minnesota Job Skills	Training Services
Human Resources Consultation	Provided advice with regard to human resource procedures and policies	Workforce Recruitment Assistance
Industry Sector Partnership Meetings	Attended Industry Sector Partnership meetings or in-depth one-on-one meetings	Strategic Planning/Econ Devt
Information Only	Provided information that is not LMI, UI, HR, or retention	Employer Information and Support Services
Job Fair	Assisted employer with recruiting through a job fair or hiring event	Workforce Recruitment Assistance
Job Order Taking	Assisted employer with posting a job on MinnesotaWorks.Net	Workforce Recruitment Assistance
Job Placements	Participants successfully placed in competitive integrated employment	Workforce Recruitment Assistance
Job Postings	Postings of vacant positions, including MinnesotaWorks job postings	Workforce Recruitment Assistance
Job Retention Consultation	Assisted employer with strategies to retain current employees	Workforce Recruitment Assistance
Job Seeker Screening- Targeted Population	Screened job seekers from targeted populations to work for employer	Untapped Labor Pools

Minnesota-Defined	Description of Service	Crosswalk to Federally-Defined
Employer Service Category		Category
Labor Market Information	Provided referral or information to	Employer Information and Support
Consultation	Labor Market Information	Services
MinnesotaWorks Training	Trained employer to use	Workforce Recruitment Assistance
Sessions	MinnesotaWorks.Net for posting	
	jobs, searching resumes, etc	
On-Site Hiring Event	Assisted employer with recruiting	Workforce Recruitment Assistance
	thru an on-site hiring event or	
	employer of the day event	
Other Seminar	Employer attended a seminar on	Workforce Recruitment Assistance
	employer issues hosted or	
	sponsored by the WFC	
Strategic Planning	Includes the Governor's Workforce	Strategic Planning/Econ Devt
Boards/Committees	Development Board (GWDB) and	
	Local Workforce Development	
	Association (LWDA)	
Testing	Tested candidates that work for	Workforce Recruitment Assistance
	employer	
Technical Assistance	Services that include job site	Employer Information and Support
	analysis, job accommodations,	Services
	accessibility testing, and reviewing	
	compliance	
Unemployment Insurance	Information to employers about UI	Employer Information and Support
Information		Services
Workforce Reduction,	Dislocated Worker and TAA	Rapid Response/Planning Layoff
Closing, Transfer of	activities from Salesforce	
Ownership, and TAA		
Referral		

#### Business Establishments

The denominator, the total number of business establishments in the state, is captured by the Bureau of Labor Statistics' Quarterly Census of Employment and Wages or QCEW program. The QCEW program defines an establishment as a single economic unit, such as a farm, a mine, a factory, or a store, that produces goods or services. Establishments are typically at one physical location and engaged in one, or predominantly one, type of economic activity for which a single industrial classification may be applied. For example, if your state has a large chain of department stores located within it, the establishment would be the single physical location at 123 Main Street not the entirety of the company located within the state.

#### Tracking Services to Employers

WIOA partners can track services to employers using whatever tools or resources available to them, including an Excel spreadsheet. Minnesota, at this time, does not have a common tracking and reporting tool.

At minimum, programs must identify:

- Name of business establishment
- City

If the information is available, programs may also identify:

- Federal or state employer identification number (FEIN or SEIN)
- Minnesota-defined service type

#### Reporting Effectiveness in Serving Employers

Data are submitted to the Agency Performance Team after the end of the federal program year (June 30<sup>th</sup> annually). The data are compiled and de-duplicated for reporting to USDOL on the Annual Performance Report ETA-9169 due October 1<sup>st</sup>.

### **Data Integrity and Validation**

WIOA partners must have policies in place regarding data integrity and validation. Accurate, consistent, and verifiable data are critical for excellent service delivery and continuous improvement. Data validation may vary across programs and types of services provided, but could include:

- Job fair registration forms
- Sign-in sheets
- Employer feedback forms
- Signed training contracts and agreements

### Resources

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The purpose of this guidance is to provide sub-regulatory guidance on the requirements set forth in WIOA, related to the implementation and operation of the performance accountability system under section 116 of WIOA and the implementation of joint regulations in 20 CFR part 677 (and 34 CFR parts 361 and 463). As explained further in this guidance, WIOA requires all States and direct grantees of the Departments to collect and report information on all the participants described in this TAC.

WIOA Joint Rule for Unified and Combined State Plans, Performance Accountability, and the One-Stop System Joint Provision

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# Common Performance Measures Workgroup: Effectiveness in Serving Employers Agenda

Date: 08/21/2018 Time: 9:00-11:00

Location: DEED Headquarters, Mississippi Room

Invited Attendees: Jackie Buck (Title III), Amy Carlson (Title I-Adult/DW), Heather Farmer (Title IV-VRS), Liz Jennings (Title III), Eve Lo (Title IV-VRS), Carly Lykes (Title IV-SSB), Carrie Marsh (DEED Performance) Ibrahim Noor (Title III), John Olson (Title I-Youth), Rachel Vilsack (DEED Performance), Todd Wagner (Title II) Facilitator: Natasha Jerde (Title IV- SSB)

## **Topic: Review Draft MSG Joint Guidance and Draft Credential Attainment Guidance**

Review the draft briefly and make notes of any changes. See "Draft Minnesota Joint Guidance on MSG" and "Draft Minnesota Joint Guidance on Credential Attainment".

### **Topic: Overview of Effectiveness in Serving Employers Measure**

Briefly review the Minnesota Effectiveness in Serving Employers piloted measures. See "Effectiveness in Serving Employers Overview" and "Effectiveness in Serving Employers Plan PY17" Handout

### **Topic: Review Wisconsin's "Model" Effectiveness in Serving Employers Guidance**

Review a "model" for Effectiveness in Serving Employers guidance to get ideas for our state. See "Wisconsin WIOA Joint Effectiveness in Serving Employers Detailed Guidance" Handout

### **Topic: Effectiveness in Serving Employers Guidance Material**

Begin defining and outlining State requirements for tracking and reporting on Effectiveness in Serving Employers.

### **Topic: Effectiveness in Serving Employers Next Steps**

Review any "parking lot" items, develop an action plan, and assign off-line tasks

Next meeting finalizing the CPM Workgroup is on 9/14/2018 from 12:00-2:00 in the Capitol Room.





# Common Performance Measures Workgroup: Effectiveness in Serving Employers Meeting Minutes

Date: 08/21/2018

Time: 9:00-11:00

Location: DEED Headquarters, Mississippi Room

Attendees: Heather Farmer (Title IV-VRS), Liz Jennings (Title III), Eve Lo (Title IV-VRS), Carrie Marsh (DEED Performance), Chris McVey (Title IV-VRS), John Olson (Title I-Youth), Rachel Vilsack (DEED Performance) Facilitator: Natasha Jerde (Title IV- SSB)

### **Topic: Review of MSG Draft**

- John Olson (Youth) mentioned that the appropriate MSG indicator should be tied to the youth's Individualized Service Strategy (ISS), as what works for an adult learner may not be appropriate for a youth, especially if the youth has multiple barriers.
- Under Method 1a, the discussion was to add to the guidance that only tests approved by the Department of Education (DOE) and the Department of Labor (DOL), with links to the DOE sites listing tests, if available. John mentioned that it might be a part of the National Reporting Services under DOE. Natasha will look for a link and/or contact Todd.
- Under Method 4 and internships, Jackie is still seeking guidance from the Department of Labor and Industry (DLI); this section is still in progress.
- Natasha will update the TEGL link, add a training resource video from Workforce GPS.

### **Topic: Review of Credential Attainment Draft**

- Natasha provided a quick overview of this draft.
- Action item: please review and provide comments on this draft.

### **Topic: Discussion on Effectiveness in Serving Employers**

- Natasha provided an overview of the Wisconsin Joint Guidance. They have a robust system of tracking business interaction.
- Carrie (Performance) provided an overview of the six (6) distinct categories where employer services should be tracked. These are:
  - Employer Information and Support Services
  - Workforce Recruitment Assistance
  - Strategic Planning and Economic Development
  - Untapped Labor Pools
  - Training Services
  - Rapid Response/Planning Layoff

The DOL defined these categories, but the interpretations are not always clear.

• The group discussed the measures that Minnesota selected, and Rachel (Performance) provided some background on why these were selected. These include:

- Employer penetration rate
- o Employee retention rate
- Employer customer satisfaction survey (optional state measure)
- The group discussed that we should offer a generic template, which could be used for any programs that do not already use another system (like Title III and MinnesotaWorks.net). This template should provide definitions on where certain activities would/should be coded (like coding employers who are at job fairs).
- Carrie said that from the template perspective, it might be helpful to record the business name, location (city at minimum), with contact name, SEIN/FEIN, email and phone (all optional).
- Rachel provided information on a proposed plan to move Title III customer registration from MinnesotaWorks.net to Workforce One. Annie Tietema convened stakeholders (Dave Niermann, LWDA partners, Performance) to develop the specifications needs to develop a MNIT cost estimate. This proposal will be sent to Jeremey Hanson Willis for consideration.
- Chris (VRS) discussed VRS employer engagement, which has been changing over time. Information on employer services is tracked, although not to the full degree needed for this WIOA measure, and shared with leadership on a quarterly basis. Under federal law, employers that have a federal contact and supposed to contract their state's Vocational Rehabilitation agency to alert them about job opportunities. This law has been expanded in Minnesota by the Department of Human Rights (MDHR). Enforcement of these policies are the jurisdiction of MDHR.
- The group discussed these as recommendation:
  - Move to a centralized reporting system for tracking employer services by incorporating services to employers in WF1.
  - Require participation from all WIOA titles need to have representation at Joint Application Design Sessions (JADS).

Next meeting is scheduled for 9/14/18 from 12:00-2:00 in the Capitol Room at DEED Headquarters.