

WIOA Performance Workgroup
Meeting Minutes 5/29/2015

I. Opening Statements by Co-Chair Lynda Weber and Co-Chair Patti Morfe

II. Below is a list of workgroup members in attendance:

Co-Chairs:

Name	Representing	Email
Lynda Weber	DLLR	lynda.weber@maryland.gov
Patti Morfe	MOED	pmorfe@oedworks.com

Members:

Name	Representing	Email
Suzy Beegle	Ba County (DHR)	suzy.beegle@maryland.gov
Suzanne Page	DORS	suzanne.page@maryland.gov
Mary Ellen	DLLR	maryellen.branham@maryland.gov
Patricia Tyler	DLLR/Ad Ed	patricia.tyler1@maryland.gov
Greg Eberts	DLLR/LEA	greg.eberts@maryland.gov
Doug Andrews	Dor. Co (DHR)	doug.andrews@maryland.gov
David Jorgenson	MHEC	david.jorgenson@maryland.gov
Dean Kendall	MHEC	dean.kendall@maryland.gov
Jason Papanikolas	AA	jpapanikolas@aawdc.org
Tom Bryne	FR	tbyrne@frederickcountymd.gov
Michelle Gallipoli	MG	michelle.gallipoli@montgomerycountymd.gov
Georgia Allen	MM	gallen@ccg.carr.org
Leonard Greene	SM	lgreene@tccsmd.org
Karen Hamilton	SQ	khamilton@swnetwork.org
Melissa Mackey	US	mmackey@chesapeake.edu

Staffers:

Dan O'Keefe	DLLR	daniel.okeefe@maryland.gov
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III. Open discussion on PowerPoint regarding the WIOA regulations

A) Opinions about the Customer Service Measure

- We need additional clarification:
 - What is the purpose of bringing back a measure which has been removed, when states choose Common Measure Waivers in 2006, and having States begin re- collecting this data?
 - In this measure, what would be the numerator and the denominator?
- Currently the state has been sending out a survey through Survey Monkey whenever a person exits WIA. Employer satisfaction surveys are sent to those employers who received a staff assisted service. The state has taken on this task and reported as currently required in State Annual Narrative. Sounds as if NPRM is bringing back the original measure.
- There was concern on how often people complete the survey
 - Currently a lot of surveys go out, but not as many as we would like are completed
 - Of the ones completed, the comments tend to be very favorable
- According to the regulations it looks as if this will be a required part of the aggregate reports and numbers would need to be entered.
- There were concerns that this could possibly raise the cost per individual since more staff time would be spent on the jobseeker.

B) Conversation about having Performance Goals adjusted twice a year

- We need additional clarification:
 - Does this mean the framework for the goals could change twice a year?
 - If you do really well the first half of the year, would the goals at the end of the year be significantly higher?
 - Will this process only be done at the start of WIOA or will this be done twice a year for the lifespan under WIOA?
- Very hard to have a strategic plan to meet performance goals, when the goals change partway through the year
- Regulations appear to state that the locals make the goals and if they meet them, the goals are adjusted throughout the year. It may be almost impossible to meet a moving target

- Most attendees do not like having the goals adjusted twice a year and feel it adds a lot of additional work. Attendees agreed that if a CAP is placed that the goal provided at the end of the year is less than or equal to the goal provided at the beginning of the year. This way strategic plans can be built and the goals are not a moving target but an achievable metric.

C) Discussion about failure to submit reports and/or reports do not meet performance

- Clarification, will a submission attempt counts toward submitting reports on time.
- Some attendees feel there is not much we can do about this decision. As long as we have the data completed and turned in, we can avoid any sanctions

D) Conversation regarding the adjusted levels for performance

- Currently we do not know the performance levels/goals
- State's negotiate on what would be a fair and reasonable adjusted levels, based on regression targets, economic factors and characteristics of participants served , as well as additional factors
- Many attendees agree that there should be a cap on how high the adjusted levels could be.

E) Comments on the three indicators used to assess State Performance

- The 3 proposed ways to assess State Performance is very complicated and exist at the State level
 - If the local areas meet there performance, this in turn would have the state meet there goals as well. On the other hand if locals fail to meet their standards, then the state may fail
- a. Discussion on the 12 scores on which the State will be assessed
- We need additional clarification, will the averages being used be a straight average, or a weighted average
- b. Looking at the two thresholds for Performance Failure
- Currently the threshold for performance failure is set to 80% on each indicator rather than the new WIOA 90% on the overall State program scores and the overall State indicator scores.

- A few people said “No” to the 90% and would rather keep it similar to what it is now
- The state will only be sanctioned after two consecutive years of failure
- It was decided that we should not be sanctioned in the first year since it will take some time to collect the proper information in the reports.
- The first year that should be considered to start sanctions should be PY 19, allowing baseline data to be collected and measure for PY16, PY17 and PY18. Local targets need base line data after 3 years as well

c. Discussion of the Performance Improvement Plan

- Many agreed that if the State successfully executes the performance improvement plan the state could avoid any financial sanctions.
- Having as many years of data to establish a baseline is critical. The best is to obtain at a minimum 3 years of baseline data. We feel this amount of data should be collected before applying a sanction and allows the cleanest data for performance.
- The longer we can collect data, the better the data will be when it is finally needed

F) Conversation on what should the State expect when they are sanctioned?

- There is no middle ground. If the report is not submitted on time, it is assumed measures are all failed
- It may not be a good penalty, but it does make sense and for that reason it is understandable
- We need additional clarification:
 - What determines if we are unable to submit?
 - What happens if we are only able to submit from two of the core programs?
- Reading the regulations, it appears as if the feds do not want the state to fail and are offering technical assistance to prevent being sanctioned
- It was mentioned that there is a double penalty to failing. Two sanctions each worth 5%, but it appears as if it would be an automatic 10% Governor fund

sanction only if a report is not submitted timely, assuming all data then fails performance

- If the feds truly do provide assistance when we are possibly facing sanctions then that should be a good thing and be very helpful

G) Comments on the Performance Indicators that apply to the local areas

- These regulations are designed with the desire to have a very transparent program.
- We need additional clarification:
 - Is this any different than how we do it now?
 - What other programs will be included?

H) Conversation about how are local performance levels established.

- We need additional clarification.
 - At the local level, what can a local do to influence the negotiations?
 - Will locals know the formula and have access to the model to run local targets?
 - Could locals have a re-negotiation process, and what factors will be used to determine if a re-negotiation is allowable?
 - Will the locals be involved in the negotiation, current statute says CEO, Local Board and Governor?
- Negotiation process is based on the regression targets from the regression model, economic factors within the local areas and the characteristics of participants being served. Also, if an area knows of additional factors to come, (like a huge plant closely as part of an NEG) this could assist the local area in negotiating performance
- Many feel local boards should have Authority to negotiate measures
- Local Areas would like the ability to negotiate a change.
- Currently it looks as if the Governor's board, local board and CEO decide on negotiation.
- Some locals thought, it would make more sense to start at the local level, so each local area decides what goals they can achieve. From there move to the state. Currently if one area cannot make the goal it forces the other areas to pick up the loss so the state can make their goals
- Some attendees noted that it was not good being provided 2 goals for

performance, one at the beginning of a program year and another at the end of a program year. It would be better to only be judged once.

- Other attendees feel that by having adjustments two times a year it could allow for more flexibility, especially if there was some incident that influenced the performance in an unforeseen way, bringing the goal down.
- As long as it could be lowered this would be good, but there should be a cap on how high it could be set
- Once again, the ability to negotiate was heavily stressed

I) Discussion about the circumstances local areas can appeal a reorganization plan

- Attendees agreed that this looks acceptable

J) Information on Eligible Training Provider Performance

- It was discussed that this performance information is difficult to get from training providers
- The proposed regulation is very similar to what information we currently collect from training providers
- MHEC stated that they have this information on all participants, not just the WIA participants
- The average cost per participant and certain individual demographics currently not captured by providers
- Currently providers are already giving a lot of this information

K) Discussion on the reporting requirements for individual records for core WIOA title I, III, and IV programs

- There was a concern if this reporting information was possible to collect based on the current system
- If this is how WIOA performance is headed, how would we do multiple exits?
 - A single row of data cannot adequately capture multiple program exits
 - Some attendees not sure if this would be possible and if so it would be extremely difficult

- Some attendees dislike this idea and want an individual exit, while others want a single common exit

L) Comments on the requirements for data validation of State annual performance reports

- Overall this looks to be very similar with how it is done now
- Need additional clarification. What is accuracy standard? Is it still the 5% rule?

IV. Conclusion of the Meeting

- Minutes of the meeting will be sent to all members of the work group
- Any additional comments or suggestions based on the notice of proposed regulations must be submitted to Lynda Weber and Patti Morfe by latest June 5th
- There will be additional meetings in the future, but no meetings currently planned in the short term