

589-020-0210

Distribution of WIA Title IB State Incentive Grants for Local Performance Measures

(1) Purpose: This rule establishes the requirements and methodology that the Department of Community Colleges and Workforce Development will utilize for distribution of state incentive grants and performance improvement plans pursuant to the federal Workforce Investment Act (WIA), PL 105-220, its amendments and regulations thereto.

(2) Definitions:

(a) Continuous Performance Improvement Plan: Funds made available to Local Workforce Investment Areas (LWIAs) that achieve a cumulative program area score less than 100% and at least 80% of the negotiated performance level on each performance indicator within a program area. See agency Policy 589-20.2 for application process.

(b) Cumulative Program Area Score: The aggregate amount by which a Local LWIA exceeds or falls below the negotiated performance levels in a particular program area.

(c) Exemplary Performance: Having achieved a cumulative program area score greater than 100% and at least 80% of the negotiated performance level on each performance indicator within a program area.

(d) Failure to Meet: Actual performance for any of the performance indicators that falls below the negotiated level of performance. Technical assistance is required to be provided under WIA Section 134(a)(2)(B)(iv) to Local Workforce Investment Areas (LWIAs) that fail to meet local performance measures.

(e) Grantee: Recipient of grant funds from the Department of Labor. Refers to the Department of Community Colleges and Workforce Development (CCWD).

(f) Incentive Awards: Funds awarded to LWIAs that meet Exemplary Performance.

(g) Incentive Grants: A portion of the Statewide Employment and Training Activities funds under WIA Title IB Section 134(a)(2)(B)(iii) and (vi) that is required to be used to award exemplary performance by local areas on the local performance measures and to provide technical assistance for LWIAs that fail to meet local performance measures.

(h) Local Performance Measure: A performance measure established under Section 136(c) of WIA. Local performance measures consist of the core performance indicators established under Section 136(b)(2)(A) of WIA and fall into four program areas – adult, dislocated worker, youth, and customer satisfaction.

(i) Local Workforce Investment Area(s): The area(s) in the state designated by the Governor under Section 116 of WIA to which WIA Title IB funds are allocated to carry out WIA Title IB programs.

(j) Mandatory Performance Improvement Plan: LWIAs that achieve a cumulative program area score of less than 100% and less than 80% of the negotiated performance level on a performance indicator within a program area must prepare and seek funding for a plan to address failure to meet performance. See agency Policy 589-20.2 for application process.

(k) Negotiated Performance Level: The numeric performance targets agreed to by the State and the LWIA for each of the core performance indicators.

(l) Performance Measures: The performance indicators required by the Workforce Investment Act of 1998.

(m) Program Area: Four program areas used in the evaluation of performance for incentive purposes; adults, dislocated workers, youth, and customer satisfaction.

(n) Program Year (PY): The period July 1 through June 30 of each year.

(3) Available WIA funds shall be reserved for incentive awards and awarded in accordance with the following criteria:

(a) To be eligible for an incentive award for a program area, the LWIA must achieve a cumulative average score greater than 100% for the performance measures in a given program area (adult, dislocated worker, youth, or customer satisfaction); and

(b) The LWIA must achieve at least 80% of the negotiated performance level on each performance measure within a given program area.

(c) Incentive funds shall be awarded annually after the end of each Program Year (PY), when data to compute actual performance becomes available.

(4) Funds available to each LWIA, which may be earned in accordance with (3)(a) and (b) shall be determined:

(a) By calculating the percent each of the adult, youth and dislocated worker program's PY allocation is of the total PY allocation;

(b) By multiplying the total funds available for incentive awards by the percentages identified in (5)(1) of this OAR to arrive at the available funds for each program (adult, dislocated worker, and youth); and finally

(c) By multiplying the amounts identified in (5)(b) of this OAR for each program by the PY allocation percentages of each LWIA for the respective program; these products are then added to arrive at the total funds that each LWIA might earn.

(5) Funds available to be earned for each program area (adult, dislocated worker, youth and customer satisfaction) shall be calculated in the following manner:

(a) Each program area bears equal weight (25% for each of the four program areas).

(b) The total funds that each LWIA might earn ((5)(c) of this OAR) are multiplied by 25% to arrive at the amount that might be earned for each program area (adult, dislocated worker, youth, and customer satisfaction).

(6) Incentive awards will be made from funds available for that purpose out of current year funding, e.g., PY'04 incentive funds are used to reward PY'03 performance.

(7) Awarded incentive funds may be used for any activities allowed under WIA Title IB.

(8) Definitions used for performance measures shall conform to those provided by the Department of Labor in Training and Employment Guidance Letter (TEGL) 7-99.

(9) Incentive awards shall only be applied to performance in Title IB programs.

(10) Funds for Continuous Performance Improvement Plans and Mandatory Performance Improvement Plans will be made available for LWIAs whose cumulative program area scores fall below 100% of the negotiated level.

(a) LWIAs whose cumulative program area score falls below 100% of the negotiated performance level may seek funding for Continuous Performance Improvement Plans.

(b) LWIAs whose cumulative program area score falls below 80% of the negotiated performance level must develop and seek funding for Mandatory Performance Improvement Plans.

(c) Funds may be used for any allowable WIA Title IB activities in support of a Continuous Performance Improvement Plan or Mandatory Performance Improvement Plan to correct identified deficiencies that led to failure to meet agreed upon levels of performance.

(d) Continuous Performance Improvement Plan and Mandatory Performance Improvement Plan awards will not exceed the amount the LWIA would have earned had performance been met.

(e) LWIAs seeking funds to support Continuous Performance Improvement Plan or Mandatory Performance Improvement Plan must submit the plan in writing to the Department of Community Colleges and Workforce Development. The plan shall be submitted timely, identify the problem/issue to be remedied, and provide a budget supporting the work to be accomplished.

(11) Funds remaining after distribution of all incentive awards, and Continuous Improvement Plan and Mandatory Performance Improvement Plan awards will revert to CCWD's 15% Statewide Activities Fund for allowable uses at the discretion of the Commissioner.

Statutory Authority: 326.370

Statutes Implemented:

Hist.: DCCWD 4-2002, f. & cert. ef. 9-23-02; DCCWD 6-2003, f. & cert. ef. 10-20-03