

## Comments and answers related to the draft 10.5 Youth Program Element policy

DWD-DET released a draft of [10.5 Youth Program Elements](#) for comment on February 6, 2019. This document is a summary of the comments DWD-DET received and DWD-DET's responses.

### [10.5.1](#) – Overview

1. Can DWD-DET provide a crosswalk document that outlines the name of the ASSET service(s) that pair with each element?

**Answer:** The items available in the ASSET Manage Services tab are now aligned with the policy. The only exception is Program Element 12: [Career Awareness, Career Exploration, and Career Counseling](#). For simplicity, we've renamed this element in both the policy and ASSET because the Final Rule lists this element as "services that provide labor market and employment information about in-demand industry sectors or occupations available in the local areas, such as career awareness, career counseling, and career exploration services."

The program element for follow-up is only accessible through the Manage Follow-ups tab in ASSET.

DWD-DET plans to move the items that reflect co-enrollments in other programs (e.g., YouthBuild, Job Corps) that are currently listed on the ASSET Manage Services tab to a separate drop-down list of co-enrollments.

2. The same type of crosswalk for which CEPT Action Steps could fall into each service would also be awesome but certainly not urgent.

**Answer:** Creating a useful crosswalk related to the Action Steps tool would not be possible as there is not a defined, finite list of action steps; an action step can be anything.

### [10.5.2](#) – Options for Administering Program Elements

1. I was under the impression that we had to make the 14 elements available either through direct service provision or referrals to other agencies/resources. With the draft policy that just came out, it appears that whatever elements we aren't offering directly, we will need to secure externally through either procurement or MOU?

**Answer:** That is correct; it is a WIOA requirement.

#### **2. Comments regarding Option 1) Partnerships:**

- a. The requirement to have an MOU with a partner organization providing services of a program element not funded by WIOA Title I funds is great. If there is no such MOU in place but the situation is currently taking place, will WDBs have a certain amount of time to get those MOUs in place?

**Answer:** DWD-DET will provide technical assistance related to MOU development upon request during PY19, with the expectation that local WDBs will have MOUs developed and in place by June 30, 2020. DWD-DET will monitor for MOUs in PY20.

- b. Are there state-funded partners whose provision of these services DWD would consider in the future having a statewide MOU?

**Answer:** No. Provision of these services is a local WDB responsibility. DWD-DET will not seek to establish statewide partnerships to provide these services.

**3. Comment regarding Option 3) Direct Provision:**

Can you confirm that there is no state policy on conflict of interest that would apply? We haven't been able to find one.

**Answer:** Yes, that is correct. Local WDBs must base their local conflict of interest policies on the following federal regulations: [WIOA Sec. 107\(h\)](#) and [WIOA Sec. 121\(d\)\(4\)\(A\)](#).

**10.5.3 Descriptions of the 14 Youth Program Elements**

**Program Element 1: Tutoring, study skills training, instruction, and dropout prevention and dropout recovery services**

1. While services are supposed to be delivered based on an individual's needs and goals, could a WDB set a local policy that all students who are not attending school but are the age of compulsory school attendance must receive services under this program element?

**Answer:** Yes, the local WDB could establish a policy like this.

**Program Element 3: Paid and unpaid work experience**

1. What is the difference between Work Experience – Employment Opportunity and Work Experience – Internship? I see that the literal difference is that the first one requires combination of academic and occupational training. But how do we differentiate which one should be used?

**Answer:** WIOA policy requires that **all** work experiences in the Youth Program have an occupational training and academic component. However, the academic component does not need to be structured coursework leading to a credential; the example in the policy is having the participant review some information online to gain knowledge about their job area.

For the second part of this question, DWD-DET recognizes that the lines can be blurry between a paid internship and a paid work experience. While WIOA regulations do not define "internship," DWD-DET has chosen to use a DOL definition of internship used in other federal [guidance](#). This definition states that interns are students or recent graduates with classroom learning that is directly related to the occupation. Service providers are to use this definition to determine whether to record a work experience service in ASSET as an internship or paid work experience.

2. **Question:** The policy states, "DWD-DET does not permit paid work experience within the workplace of the service provider or local WDB." Does this excerpt from the draft policy mean that our service provider cannot provide their own crew-based work experiences?

**Answer:** DWD-DET added a statement to the policy to clarify when a local WDB or service provider can directly provide a work experience. The policy now states: "DWD-DET does not permit work experience within the local WDB or service provider's workplace. The local WDB or service providers may, however, directly provide structured work experience opportunities relating to community service projects that are outside of the organization's day-to-day operations."

Please note that we also removed the word "paid" from the first sentence in this statement as DWD-DET also prohibits unpaid work experience within the local WDB or service provider's workplace.

4. Pre-Apprenticeship: We would love a way to access a list, even on a SharePoint, that shows us which pre-apprenticeship programs are approved by the WI Apprenticeship Advisory Council.

**Answer:** DWD-DET's Bureau of Apprenticeship Standards (BAS) is working to publish the list of the pre-apprenticeship programs the WI Apprenticeship Advisory Council has approved. The list will be accessible on the BAS [website](#). DWD-DET will notify local WDB staff when the list is posted and will update 10.5.3 to require that all pre-apprenticeship programs be approved by the WI Apprenticeship Advisory Council.

5. Pre-Apprenticeship: If a youth enrolls in a pre-apprenticeship, can we assume that this would meet the academic and occupational components of a work experience?

**Answer:** Yes, a program that meets the definition of a pre-apprenticeship program would meet the academic and occupational components of a work experience. Please see response directly above for additional information about DWD-DET's plans to require that all pre-apprenticeship programs be approved by the WI Apprenticeship Advisory Council.

6. Is there a limit or guideline for the maximum amount of time job shadowing can take place?

**Answer:** No, but a local WDB may establish a local policy that limits the length of time for job shadowing.

7. Do WDBs without a work experience policy need to create one?

**Answer:** While local work experience policies are not specifically required in WIOA regulations, DWD-DET recommends that local WDBs have policies in order to ensure uniformity and consistency in how they provide work experience services to Youth Program participants.

8. Regarding allowable work experience expenditures as outlined in TEG 21-16 (page 15), are some of these allowable "in bulk" vs being tied to a specific student? For example, if staff are pursuing potential WE opportunities with an employer but the employer has not yet decided to do this and no youth are assigned, is this allowable?

**Answer:** Yes, that would be allowable. Please see [4.17.2 Expenditure Requirement for Youth Work Experience](#) for more information about the types of program expenditures that count as work experience expenditures.

9. For the employability skills/job readiness training to prepare for a work experience, can this be seen as a preparatory step without a specific work experience plan in place? In other words, if the program intends to put all youth into a work experience but realizes a significant need for job readiness, can that begin before a work experience has been designed? (If not, does this impact a WDB with a local incentive policy that allows incentives for successful completion of job readiness?)

**Answer:** Employability skills/job readiness training without a specific work experience plan or goal is not in and of itself a work experience service.

Incentives for completing job readiness services are likely not allowable. Incentives cannot be awarded to participants for simply attending services such as a series of workshops; incentives must be tied to achievements that relate directly to a work experience, education, or training-related program milestone.

10. Is there any WDB that has a great work experience plan template that could be shared?

**Answer:** Local WDBs should contact their Local Program Liaison for examples of work experience plans.

#### **Program Element 7: Supportive services**

10. The second from last bullet – I understand this language is from the TEG, but could school supplies for secondary education be allowable?

**Answer:** Yes, if a participant needs assistance obtaining school supplies to participate in secondary education, and secondary education is part of the participant's Individual Service Strategy, this would be allowable as long as the local WDB's supportive services policy allows this type of assistance. DWD-DET has changed the wording in that section to clarify that the examples listed are not an exhaustive list ("Supportive services include, **but are not limited to:**").

#### **Program Element 8: Adult mentoring**

1. Regarding the requirement that WDBs have appropriate processes in place to adequately screen and select mentors, can this be outlined in the Title I provider contracts? Or should it be separate?

**Answer:** In the absence of DOL guidance, DWD-DET believes that the processes for screening and selecting mentors can be outlined in the provider contracts. [TEGL 21-16](#) states only that "local programs should ensure appropriate processes are in place to adequately screen and select mentors."

#### **Program Element 9: Comprehensive guidance and counseling**

1. If a youth is referred to outside counseling services, should this be dually reported as a supportive service referral?

**Answer:** No, each service should be recorded once in ASSET. This outside counseling should be recorded as Comprehensive Guidance and Counseling, as a non-WIOA funded service.

2. If the local program refers participants to outside counseling services, does the provider need to have an MOU with the organization to ensure continuity of services? If not, what is the standard we should strive for to ensure this?

**Answer:** The local WDB must provide this program element through one of the three options for administering program elements outlined in [10.5.2](#): a partnership agreement such as an MOU, a grant or contract, or direct provision. Therefore, in general the local program must have an MOU in place with the organization it plans to refer participants to. However, DWD-DET recognizes that there may be unique circumstances when a participant needs a referral to a provider outside of the local WDB's network of providers. In this case, it is not necessary for the local program to establish an MOU with the new organization. We have clarified this point by adding the following language to section [10.5.2 Options for Administering Program Elements](#) under **(1) Partnerships**:

**Note:** While WIOA's intent is that local WDBs establish networks of partners to provide program elements, DWD-DET recognizes that there may be circumstances in which a participant with unique needs would benefit from services from a provider outside the local WDB's network of partners. In such a circumstance, DWD-DET does not require the local WDB to establish a formal agreement in order to refer the participant for services. For example, a local WDB has a formal agreement in place with a provider for services that fall under Comprehensive Guidance and Counseling, but a participant with a unique mental health issue would benefit from another provider with specialized expertise. The local WDB could provide this referral without having to establish a Memorandum of Understanding with the specialized provider."

#### **Program Element 10: Financial literacy education**

1. May a WDB that does benefit planning and work incentives benefits counseling, perhaps as a Ticket to Work administrator, provide these to youth participants?

**Answer:** Yes. Please see option **3) Direct Provision** on policy section [10.5.2 Options for Administering Program Elements](#).

2. Does using the CEPT budget tool count as provision of this element?

**Answer:** Completing the CEPT budget tool with a participant could be a part of providing financial literacy education, but the local WDB must offer other financial literacy education resources beyond the CEPT budget tool as appropriate to meet a participant's individual needs, as determined through an objective assessment. Merely providing the participant with access to the CEPT budget tool is not sufficient.

#### **Program Element 12: Career Awareness, Career Exploration, and Career Counseling**

1. Would you want to explicitly allow the first bullet (providing labor market information (LMI) and employment information about in-demand industry sectors or occupations in the local area) to apply to the local region – beyond the area?

**Answer:** The services listed under this program element are examples and there may be other services that fall under this program element. A local WDB may provide LMI and information about in-demand industry sectors for the local region beyond the local workforce development area if that

is appropriate for a participant's needs. We changed the wording in that section to clarify that the examples in the policy are not an exhaustive list ("Examples of services include, **but are not limited to:**").

2. Is there a way to ensure, perhaps locally, that services under this element that are done by Title III be done by Title III? (Not to add burden to Title III, but to have the services provided by true experts and to have providers of Title I focus on those that don't have local experts or a great system like JCW?)

**Answer:** A local WDB could establish a partnership with Title III to provide services under this element. Please see [10.5.2 Options for Administering Program Elements](#).

3. Does using the CEPT Employment Plan tool and/or the Career Exploration and Employment Plan widgets in My JCW count as provision of this element?

**Answer:** Yes, if career planners use the Career Exploration and Employment Plan widget in My JCW with the participant while providing guidance as needed, this could be an effective way to provide services under this element. Merely providing the participant with access to the Career Exploration widget in My JCW is not sufficient.

Please note that the CEPT Employment Plan tool aligns with the Individual Employment Plan (IEP) for the Adult Program and Dislocated Worker Program. DWD-DET plans to add a CEPT tool aligned with the Youth Program's Individual Service Strategy (ISS) in the future. But, regardless, completing an ISS or IEP with a participant is not a service that falls under Program Element 12: Career Awareness, Career Exploration, and Career Counseling. Completion of an ISS for Youth Program participants must be done before a Youth Program participant receives any of the 14 Program Elements.

#### **Program Element 14: Follow-up services**

1. Could the state consider a method to alert Title I staff when a participant who has exited from Title I has completed all other programs covered by the common exit policy? In other words, how would a Career Planner know that the common exit has taken place if Title I was the first program to close? Should the Career Planner maintain contact as follow up between the Title I exit and the common exit in those instances, before the official 12 months kicks in?

**Answer:** For the first part of this question, the ASSET Exit Warning Report and CEPT dashboard both show participants who have no open services with the common exit partners.

For the second part of this question, DWD-DET has sought technical assistance from DOL to determine when the Youth Program must begin providing 12 months of follow-up services for participants who no longer have open services in the Youth Program but do have open services in other programs covered by the common exit policy. DOL has not yet provided guidance on this topic.

2. Can the policies that a local program must have in place to establish when a participant cannot be located or contacted be incorporated as a standard in the contracts? Does this need to be in the local WDB follow-up policy?

**Answer:** Since [WIOA regulation](#) states that the local programs must have "policies" in place, it must be part of a local WDB policy, and not just as a standard in contracts. However, the policy can be reiterated in the contract standards.

3. Even though unsuccessful attempts to contact a participant don't count as a follow-up service, should we still be adding this in the Manage Follow Up Services in ASSET, using the unsuccessful option?

**Answer:** Yes. It should be either reported in Manage Follow Up Services as an unsuccessful contact, or in a Customer Note.