

WIAB 03-07

DATE: December 3, 2007
TO: All WIA Subrecipients
FROM: Dwight A. Johnson, Administrator, Employment and Training
SUBJECT: Federal Guidance Regarding the Provision of Workforce Investment Act (WIA) Services while Co-enrolled with Another Agency/Organization

Issue

Guidance from USDOL was sought recently to determine if a participant can remain active in the WIA program when an actual direct service is not being provided—other than receiving updates from the participant—while concurrently enrolled with another agency/organization that is assisting the participant in meeting an objective.

Our federal representative indicates that co-enrollment with a *partner* program (USDOL-funded required One-Stop partner), such as Vocational Rehabilitation, is encouraged in order to fully integrate the provision of comprehensive business and participant services. In order to continue WIA enrollment, case managers need to track participant services across the partner programs until the individual exits all services. Required partners are the entities that carry out programs authorized under Title I of WIA. These partner programs include:

- Programs authorized under the Wagner-Peyser Act
- Adult Education and Family Literacy Act activities authorized under Title II of WIA
- Vocational Rehabilitation programs authorized under Parts A and B of Title I of the Rehabilitation Act
- Welfare-to-Work programs authorized under the Social Security Act
- Senior Community Service Employment program activities authorized under Title V of the Older Americans Act
- Postsecondary vocational education activities under the Carl D. Perkins Vocational and Applied Technology Education Act

- Trade Adjustment Assistance and NAFTA Transitional Adjustment Assistance activities authorized under Chapter 2 of Title II of the Trade Act of 1974
- Local Veterans' Employment and Training Service representatives and Disabled Veterans' Outreach Program activities authorized under Chapter 41 of Title 38, U.S.C.
- Employment and Training Activities carried out under the Community Services Block Grant
- Employment and training activities carried out by the Department of Housing and Urban Development
- Programs authorized under State unemployment compensation laws

Secondary educational institutions, however, are not considered to be partner programs. Simply contacting the youth during the school year to verify ongoing enrollment in secondary education does not constitute provision of an actual WIA service. If the secondary educational institution is providing a youth participant with one or more of the 10 youth elements, and the case manager has established a relationship with the school on behalf of the youth participant that provides ongoing communication regarding the student's receipt of those services, then the participant should remain active in the WIA program until the participant has not received a service funded by the program (or partner program) for 90 consecutive calendar days and is not scheduled for future services. See the questions and answers section below for further clarification.

Questions and Answers

Example 1:

A WIA provider enrolls an individual in the youth program with the goal of participating in a summer youth project, increasing basic skills, participating in work experience and completing secondary education. The summer activity is completed and the provider enrolls the youth in the basic skills activity and, through communication with the youth throughout the year, tracks how the student is progressing in secondary school. The youth is not receiving any other WIA services.

Question A: Because the school is working to help meet the WIA objective of completing secondary education, can the provider continue to keep the youth enrolled without providing a direct service for more than 90 days?

Question B: Can the school be considered as providing partner services to keep the youth enrolled in WIA?

Answer: No on both counts. Secondary educational institutions are not considered to be partner programs, as explained above. Also, per TEGl 17-05, page 20, the communication with the participant while attending secondary education is considered “caseload management activities of an administrative nature” that involve regular contact with the individual to obtain information regarding educational progress—and does not commence participation in a program. WIA subrecipients are aware that summer youth activities are not intended as stand-alone programs. To remain in the WIA program, a youth must be provided a comprehensive strategy for addressing the youth's needs to include the 10 program elements, such as tutoring/dropout prevention strategies or leadership development opportunities, during the school year, to create a comprehensive year round plan.

Example 2:

A WIA participant is co-enrolled in a Vocational Rehabilitation program and it is agreed that WIA will provide, for example, services to the participant to obtain a GED. Once obtained, Vocational Rehabilitation then takes over the case to provide occupational skills training, which will take two years. For the duration of participation with Vocational Rehabilitation, WIA is no longer providing a direct service to the participant.

Question: Can the WIA provider continue to keep the participant enrolled without providing a direct service for more than 90 days?

Answer: Yes. The above example describes a WIA participant who is co-enrolled with a partner program, which **is encouraged** in order to fully integrate the provision of comprehensive services. To continue WIA enrollment, the case manager needs to track participant services across the partner programs until the individual exits **all** services.

Who to Contact for Questions:

If you have any questions regarding the information provided above, please contact your Regional Liaison.