

***Overview and Discussion of Joint Regulations on  
Performance Accountability & Data***

**U.S. Department of Education  
Office of Special Education and Rehabilitative Services  
Rehabilitation Services Administration**

**U.S. Department of Labor  
Employment and Training Administration**



# Presenters

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# Agenda

- Major Changes to the RSA-911
- Review Key Definitions
- Primary Indicators of Performance
- Q&A

# **Key Changes to the RSA-911**



# Key Changes to the RSA-911

- Quarterly reporting of open case data
- Focus on internal controls
- Requirement for when individual data must be collected during the VR process
- Data for performance measures under section 116 of WIOA
- RSA-911 PD-16-04 is available at:  
<http://www2.ed.gov/policy/speced/guid/rsa/pd/2016/pd-16-04.pdf>



# Quarterly Reporting

- Beginning with Program Year 2017 (July 1, 2017), VR agencies must submit quarterly data 45 calendar days after the close of each quarter.
- As stated in PD-16-04, RSA will not issue waivers or approve delays to the implementation of this data collection requirement.
- If necessary changes to case management systems will not be completed by July 1, 2017, VR agencies must implement alternative methods for collecting and reporting the required data in order to ensure compliance with the reporting requirements and timelines.

# Internal Controls

- 2 CFR 200.61 defines “internal controls” as a process, implemented by a non-Federal entity, designed to provide reasonable assurance regarding the achievement of objectives in the following categories:
  - Effectiveness and efficiency of operations
  - Reliability of reporting for internal and external use
  - Compliance with applicable laws and regulations

# Internal Controls

- CFR 200.303 requires the VR agency, as a non-Federal entity, to establish and maintain effective internal control over the Federal award that provides reasonable assurance that it is managing the Federal award in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award.



# Internal Controls

- 34 CFR 361.12 requires the VR agency to employ method of administration found necessary by the Secretary of Education for the proper and efficient administration of the VR program and for carrying out all functions for which the State is responsible under the State plan and Federal regulations. These methods must include procedures to ensure accurate data collection and financial accountability.
- Internal control processes must include monitoring of Federal requirements, which would include ensuring data accuracy (2 CFR 200.303(c)).
- RSA will review these internal control procedures and monitor the RSA-911 to ensure the data submitted are accurate.



# Collecting Individual Data

- In order to be valid data, the information for each data element must be collected at the stage of the VR process indicated in the RSA-911 (e.g., application, IPE, achievement of outcome, etc.).
- Agencies should not collect the data elements at an earlier or later stage in the VR process than what is required by the RSA-911.



# Technical and Clarifying Changes

- Support at application elements should all be:
  - 1- individual receives this support
  - 0- individual does not receive this support
- Element 393, Other Support at Application, was added and does not appear in numerical order in the manual. The data file provided from the VR agency should include all elements in numerical order.
- Element 81, Attained Secondary School Diploma, is a date field, Date Attained Secondary School Diploma
- Element 379, 383, 386, and 389, Employment X quarter after exit, individuals in competitive integrated employment should be assigned code 4, Individual is in competitive integrated employment (VR only).

# **WIOA Key Terms**



# WIOA Regulations

- Joint performance regulations (20 CFR Part 677; 34 CFR 361; and 34 CFR Part 463) include, among other things:
  - Definition of terms
  - Indicators of performance
  - State performance reports
  - Establishing state levels of performance (negotiations)
  - Sanctions for failure to achieve adjusted levels of performance and/or failure to report

# Review of Key Terms in WIOA – Reportable Individual

- Reportable Individual (34 CFR 361.150(b))
- For purposes of title I of WIOA, a reportable individual ( § 361.150(b)) is defined as: an individual who:
  - Has taken action that demonstrates an intent to use program services; and
  - Meets specific reporting criteria of the program, including:
    - Individuals who provide identifying information;
    - Individuals who only use the self-service system; or
    - Individuals who only receive information-only services or activities.

# Review of Key Terms in WIOA – Reportable Individual

- For purposes of the VR program:
  - A reportable individual is someone who has:
    - Expressed interest in VR services; or
    - Been referred to VR for services.
  - Students who are receiving pre-employment transition services from VR are considered reportable individuals. VR agencies must collect and report specific data elements on these students for purposes of the RSA-911.

# Review of Key Terms in WIOA – Participant

- Participant (34 CFR 361.150(a))
- For purposes of title I of WIOA, a participant is a reportable individual who:
  - Is eligible for program services; and
  - Has received a qualifying program service other than those described in § 361.150(a)(3).



# Review of Key Terms in WIOA – Participant

- For purposes of the VR program:
  - A participant is a reportable individual who has:
    - Been determined eligible for the VR program;
    - A signed Individualized Plan for Employment (IPE); and
    - Received a VR service.
- The date that the reportable individual becomes a participant is the date that the individual receives a service on or after the date that the IPE is signed.
- A student with a disability receiving pre-employment transition services becomes a “participant” once he or she applies for VR services; is determined eligible; has an approved IPE; and receives a VR service, which may include additional pre-employment transition services.

# Review of Key Terms in WIOA – Exit

- Exit (34 CFR 361.150(c))
- For purposes of title I of WIOA, program exit occurs when the participant has:
  - Not received services for 90 days; and
  - No additional services are scheduled.



# Review of Key Terms in WIOA – Exit

- For purposes of the VR program:
  - A participant is considered to have exited when the participant's record of service is closed because the participant has:
    - Achieved an employment outcome in accordance with 34 CFR 361.56;
    - Not achieved an employment outcome; or
    - Been determined ineligible after receiving services in accordance with 34 CFR 361.43.
- Participants are not considered to have exited if the service record is closed because the participant has achieved a supported employment outcome in an integrated setting but not in competitive integrated employment.

# **Pre-Employment Transition Services**



# Pre-Employment Transition Services

- Students receiving pre-employment transition services:
  - Are reportable individuals.
  - Remain only reportable individuals until they:
    - Apply for VR services, are determined eligible, have an approved IPE, and have begun receiving services under that IPE (including continuation of pre-employment transition services), thereby becoming participants; or
    - Exit the program, without having become a participant.



# Pre-Employment Transition Services – Required Elements

- Required data elements in the RSA-911 with respect to students with disabilities receiving pre-employment transition services are:
  - Unique Identifier
  - Social Security Number (if available)
  - Start Date of Pre-Employment Transition Services
  - Date of Birth
  - Race – Required if student is in elementary or secondary education\*
  - Ethnicity – Required if student is in elementary or secondary education\*
  - Student with a Disability



# Pre-Employment Transition Services – Required Elements

- Pre-Employment Transition Services Received:
  - Job exploration counseling
  - Work based learning experiences
  - Counseling on enrollment opportunities
  - Workplace readiness training
  - Instruction in self-advocacy

# Pre-Employment Transition Services – Required Documentation

- Case note documenting counselor observation, review of school records, statements of education staff; or
- Referral form for pre-employment transition services with the identification of a student's disability, signed by school staff and parent/guardian if the student is under the age of majority in a State (parental consent to participate in pre-employment transition services is governed by State law, as well as policies of the educational programs and the DSU); or
- Copy of an individualized education program (IEP) document, SSA beneficiary award letter, school psychological assessment, documentation of a diagnosis or disability determination or documentation relating to 504 accommodation(s).



# Reporting Pre-Employment Transition Services in the RSA-911

- VR Agencies must account and report expenditures based upon which of the five pre-employment transition services required activities (RSA-911 elements 97-126) that the student receives.
- The cost of pre-employment transition services provided in a group setting must be broken down to the individual level and accounted for in each individual's service record.



# Scenario 1

- John has been receiving pre-employment transition services. He would like to receive additional services from the VR program, so he applied for VR services and was placed on an Order of Selection.
- John turned 25, which means he no longer meets the definition of a “student with a disability” and thus is no longer eligible for pre-employment transition services.
- How is John’s case handled in the RSA-911? Since he is no longer receiving pre-employment transition services, how is he represented in the performance measures?

# **Supported Employment**

# Supported Employment

- Participants may or may not “exit” the VR program, as that term is defined in 34 CFR 361.150(c), after achieving a supported employment outcome, depending upon whether they are earning at least minimum wage.
- Participants who achieve an employment outcome in supported employment will meet the definition of “exit” in 34 CFR 361.150(c)(2) if:
  - Their VR service record is closed, meaning that they have received no services for at least 90 days after achieving that employment outcome; and
  - They have achieved supported employment in competitive integrated employment as defined in 34 CFR 361.5(c)(9) of the VR regulations.



# Supported Employment

- Participants who achieve an employment outcome will not meet the definition of “exit” in 34 CFR 361.150(c)(2) if:
  - They continue to receive VR or SE services while they are working on a short term basis toward competitive integrated employment, and, thus, their VR service record remains open;
  - They are youth who are receiving extended services from the VR agency and, thus, their service record remains open; and
  - Their service record is closed after the achievement of supported employment and the participant is making subminimum wage in an integrated setting at the time of case closure (34 CFR 361.150(c)(2)(ii)).



# Supported Employment

- Once an employment outcome has been achieved, code RSA-911 element 348, Employment Outcome:
  - Code 5, Supported Employment in Competitive Integrated Employment
  - Code 6, Supported Employment on Short-term Basis
- For purposes of WIOA performance measures, only participants who achieve a supported employment outcomes in competitive integrated employment will meet the definition of “exit” in 34 CFR 361.150(c) and, thus, will be included in the calculations for the performance measures.



## Scenario 2

- Jane applies for VR services, is found eligible, assigned to the “most significantly disabled” category, and has a goal of supported employment.
- She received VR services in accordance with her IPE, was placed on a job, received supported employment services for 24 months, and is being paid \$6.00 an hour at the time of her supported employment outcome.
- She then entered the short-term basis period working toward competitive integrated employment. During the short-term basis time period, Jane continues to receive some VR services.
- How is Jane’s case handled in the RSA-911? Since she achieved a supported employment outcome, how is she represented in the performance measures?

# **Primary Indicators of Performance**



# Primary Indicators of Performance

- Primary Performance Indicators:
  - Employment Rate 2nd Quarter after Exit
  - Employment Rate 4th Quarter after Exit
  - Median Earnings in the 2nd Quarter after Exit
  - Credential Attainment Rate
  - Measurable Skill Gains
  - Effectiveness in Serving Employers



# On What Basis Is Someone Excluded from the Performance Measures?

- RSA-911 Element 355, Reason for Exit:
  - No Longer Available for Services Due to Residence in an Institutional Setting (Code 1 or 7)
  - Health/Medical (Code 2)
  - Death (Code 3)
  - Called to Active Duty (Code 4)
  - Ineligible (Code 6, 8, 9, 10, 11, 12, or 15)

# **Employment Rate 2nd Quarter after Exit**



# What Is the Employment Rate?

- Employment Rate – 2nd Quarter After Exit is the percentage of program participants who are in unsubsidized employment during the second quarter after exit from the program.



# How Is the Employment Rate Calculated for the VR Program?

- Numerator: Participants who were employed in competitive integrated employment the 2nd quarter after program exit, Second Quarter After Exit Quarter (RSA-911 element 383).
- Denominator: Reason for Exit (RSA-911 element 355, only codes 13, 14, 16, 17, 18, or 19).



## Scenario 3

- Let's revisit Jane-
- During the short-term basis, Jane begins earning \$7.25. Jane stops receiving services from the VR agency, and her service record is closed. She meets the definition of "exit," for purposes of the VR program in 34 CFR 361.150(c)(2).
- How will Jane's service record be handled in the RSA-911? Will Jane be included in the Employment Rate 2nd Quarter after exit measure?



## Scenario 4

- Assume instead, Jane has reached the end of the short-term basis period and is receiving \$7.00 an hour in her supported employment position, which is still less than the Federal minimum wage.
- She is no longer receiving SE or VR services and her service record is closed.
- How is Jane's case handled in the RSA-911? Since she achieved a supported employment outcome at subminimum wage, how is she represented in the performance measures?

# Scenario 5

- Small Agency has worked with a number of participants who received services from the VR program and exited the program during the first quarter of the program year.
- During the second quarter after exit, you verify the following:

ID	Name	Services Received	Employed?	Reason for Exit
1.	Abdul	VR	Y	Competitive Integrated Employment
2.	Brandy	VR	N	No longer interested in services
3.	Candice	Pre-ETS	Y	Competitive Integrated Employment
4.	Danielle	Pre-ETS and VR	Y	Competitive Integrated Employment
5.	Elmer	VR	N	Incarcerated for 24 months
6	Grace	Pre-ETS	N	No longer eligible
7.	Horatio	VR/SE	Y	Competitive Integrated Employment

- What is the employment rate for the second quarter after exit for Small Agency?

# **Employment Rate 4th Quarter after Exit**



# What Is the Employment Rate?

- Employment Rate – 4<sup>th</sup> Quarter After Exit is the percentage of program participants who are in unsubsidized employment during the second quarter after exit from the program.



# How Is the Employment Rate Calculated for the VR Program?

- Numerator: Participants who were employed in competitive integrated employment in the 4<sup>th</sup> quarter after program exit, Fourth Quarter After Exit Quarter (RSA-911 element 389).
- Denominator: Reason for Exit (RSA-911 element 355, only codes 13, 14, 16, 17, 18, or 19).

# **Median Earnings 2nd Quarter after Exit**



# What Is a Median?

- The median is the number that is in the middle of the series of numbers
  - Example: 1, 3, 6, 7, 8
    - Median = 6
  - Example: 1, 3, 6, 7, 8, 47
    - Median = 6.5
- Note: The median is not the same as the mean or the average of all numbers in the data set.
  - Example: 1, 3, 6, 7, 8, 47
    - Mean = 12



# Additional Exclusions?

- Participants who have exited and:
  - Are not employed in the 2nd quarter after exit (RSA-911 element 383).
  - Wage information is not yet available (999999).
  - Have \$0 income (unpaid family & homemakers).
  - Are in subsidized employment.



# How Are Median Earning Calculated?

- Median 2nd Qtr. after exit (RSA-911 element 385):
  - To calculate the median, quarterly wages must first be ranked (sorted in ascending order).
  - The median earnings value is the wage in the middle of the rank order list.
  - Median = the middle value of a set of ordered data.

# UI Wage Verification Timeline

- Timeline for reporting employment and median earnings performance data for participants exiting between July 1 and September 30, 2017:

<b>Quarter Post Exit</b>	<b>End Date</b>	<b>Status</b>
Quarter 0	September 30, 2017	Exit Quarter
Quarter 1	December 31, 2017	
Quarter 2	March 31, 2018	
Quarter 3	June 30, 2018	Employers reporting Q2 data to UI
Quarter 4	September 30, 2018	UI reporting Q2 data to VR
Quarter 5	December 31, 2018	Employers reporting Q4 data to UI
Quarter 6	March 31, 2019	UI reporting Q4 data to VR



## Scenario 6

- Karen was placed on an IPE in May 2016 with an employment outcome goal of homemaker.
- Karen achieves her goal in July 2017 and exits the program with an uncompensated outcome, RSA-911 element 356 is assigned code 7.
- How is Karen's exit reflected in the employment and wage performance indicators.

# **Credential Attainment Rate**



# What Is a Credential?

- Secondary school diploma or equivalent:
  - Recognized postsecondary credential
  - Industry recognized certificate/certification
  - Apprenticeship
  - State/Federal-recognized licensure
  - Associate, baccalaureate, or post-graduate degree.



# What Is NOT a Credential?

- Work readiness certificates
- Workforce development board certificates
- Health/safety certificates

# What Is the Credential Indicator?

- Percentage of those participants enrolled in an education or training program (excluding those in on-the-job training (OJT) and customized training) who attained:
  - A recognized postsecondary credential; or
  - A secondary school diploma, or its recognized equivalent.
    - The credential must be obtained during participation in or within one year after exit.



# Who Is Included?

- Participants who exit a postsecondary program
- Those in secondary education without a secondary diploma or equivalent
  - Special Rule: To be included in the calculations for determining levels of performance with respect to the credential attainment indicator, the participant must be employed or enrolled in a program leading to a postsecondary credential within one year after exit from the program.



# Who Is Excluded?

- Those only enrolled in:
  - OJT
  - Customized training

# What Does This Mean for VR?

- Include:
  - All participants who have participated in an educational or training program leading to a postsecondary credential; and
  - Participants enrolled in secondary education with a diploma or equivalent on their IPE.
- Exclude:
  - Participants receiving only OJT or customized training.



# How Is This Calculated for the VR Program?

- Numerator: participants who have achieved a credential within one year of exit
  - Date Attained Secondary School Diploma: RSA-911 element 81\*
  - Date Attained Secondary School Equivalency: RSA-911 element 82\*
  - Date Attained Associates Degree: RSA-911 element 87
  - Date Attained Bachelor's Degree: RSA-911 element 88
  - Date Attained Master's Degree: RSA-911 element 89
  - Date Attained Graduate Degree: RSA-911 element 90
  - Date Attained Vocational/Technical License: RSA-911 element 93
  - Date Attained Vocational/Technical Certificate: RSA-911 element 94
  - Date Attained Other Diploma, Degree, Certificate: RSA-911 element 95
  - Date Attained Recognized Credential, Post-Exit: RSA-911 element 377



# How Is This Calculated for the VR Program?

- Denominator: participants who are enrolled in a program that leads to a credential.
  - Enrolled in secondary education: RSA-911 element 78=1
  - Enrolled in postsecondary education: RSA-911 element 84 =1
  - Occupational/Vocational Training: RSA-911 element 150,151
  - Registered Apprenticeship: RSA-911 element 164
  - Basic Academic Remedial or Literacy Training: RSA-911 element 170, 171
  - Job Readiness Training: RSA-911 element 177, 178
  - Disability-Related Skills Training: RSA-911 element 184, 185
  - Miscellaneous Training: RSA-911 element 191, 192
  - Randolph-Sheppard Entrepreneurial Training: RSA-911 element 198, 199
  - Date of Exit: RSA-911 element 353



# Scenario 7

- Kevin is a participant in the VR program. He has been working to complete his GED, which he does in July 2017 and exits the VR program, as defined in 34 CFR 361.150(c)(2).
- Kevin enrolls in a local community college where he plans to get his associate's degree in Culinary Arts.
- Is Kevin included in the Credential Attainment Indicator?

# **Measurable Skill Gains**



# What Is the Measurable Skill Gains Indicator?

- Percentage of participants enrolled in a postsecondary credential or employment program that leads to a measurable skill gain during the program year.
- Measures progress of participants enrolled in education or training services for the reporting period.



# What Is a Measurable Skill Gain?

- Participant based/1 gain/person/participation period:
  - Educational functioning level (EFL) increase;
  - Secondary school diploma attainment;
  - Transcript/report card showing 12 credits attained;
  - Satisfactory progress report toward established milestone;
  - Successful passage of a required exam.



# Who Is Included in the Indicator?

- VR participants with education or a training program that leads to a recognized secondary or postsecondary credential on his/her IPE.

# How Is This Calculated for the VR Program?

- Numerator: Participants who achieve MSG via Educational Functioning Level, Postsecondary Transcript, Secondary Report Card, Training Milestone, Skills Progression.
- Denominator: VR participants with education or a training program that leads to a recognized secondary or postsecondary credential on his/her IPE.



# How Is This Calculated for the VR Program?

- Numerator:
  - Educational Functioning Level (RSA-911 element 343)
  - Postsecondary Transcript (RSA-911 element 345)
  - Secondary Report Card (RSA-911 element 344)
  - Training Milestone (RSA-911 element 346)
  - Skills Progression (RSA-911 element 347)
- Denominator: Enrolled in an education or training program leading to a recognized postsecondary credential or employment (RSA-911 element 85)



## Scenario 8

- In accordance with her IPE, Sally has graduated from college with a bachelor's degree in mathematics, completed an internship with a local company, and received a job offer from the company, making \$25/hour, 40 hours a week. Sally then exits the VR program.
- In which performance indicators will Sally be included?

# **Effectiveness in Serving Employers**



# Effectiveness in Serving Employers

- States choose 2 out of 3 ways of measuring level of performance; shared outcome among programs for the State:
  - Retention with the same employer in the 2nd and 4th quarters after exit;
  - Employer Penetration Rate; or
  - Repeat Business Customer Rate;
  - Other?

# Upcoming Webinars

- RSA-911
  - Changes to the RSA-911 resulting from WIOA
- Performance Accountability
  - Overview of performance accountability measures for VR
  - Joint Webinar, December 14
- Occupational Requirements Survey

