



Missouri Division of Workforce Development
DWD Issuance 06-2017, Change 1

Issued: January 16, 2018
Effective: January 16, 2018

Subject: Differentiating Reportable Individuals from Participants, Change 1

1. Purpose: Change 1 for this Issuance addresses a technical correction due to revised federal guidance. An initial assessment of skill levels and supportive services needs does trigger inclusion as a participant. The references, and Tables 1 and 2 in Attachment 2, are revised accordingly. This Issuance provides guidance for workforce system staff to distinguish a “reportable individual” from a “participant” when calculating performance outcome measures, in line with the Workforce Innovation and Opportunity Act (WIOA)¹ and its implementing regulations.

2. Background: The Final Rules² implementing WIOA regulate performance accountability under WIOA Title I.³ These regulations define and draw distinctions between a “participant”⁴ who must be included in WIOA-required⁵ performance-accountability data and a “reportable individual”⁶ who must be tracked, but must not be included in the performance reporting. All participants begin as reportable individuals, but all reportable individuals are not participants. (See **Attachment 1**) These definitions were modified and made more specific by the U.S. Departments of Labor (DOL) and Education (ED) during the review process between the *Notices of Proposed Rulemaking* and the publication of the *Final Rules* on August 19, 2016.

3. Substance: A “reportable individual” is a person who has taken an action that demonstrates an intention to use workforce system program services and who meets specific reporting criteria of the program. This includes an individual who provides:

- Personal identifying information, and
- Who only uses the self-service system, or
- Who only receives information-only services or activities.

A “participant” is a reportable individual who has who has satisfied all applicable programmatic requirements for the provision of services, such as eligibility determination, *and* who has received services (see **Attachment 2**) beyond the exceptions described below. A participant must be included in performance calculations.⁷

¹ Pub. L. 113-128 [[29 U.S.C. 3101, et seq.](#)].

² *Workforce Innovation and Opportunity Act, Joint Rule for Unified and Combined State Plans, Performance Accountability, and the One-Stop System Joint Provisions; Final Rule*, ETA Docket 2015-0002, August 19, 2016.

³ [20 CFR Part 677](#).

⁴ [20 CFR 677.150\(a\)](#).

⁵ WIOA sec. 116 [[29 U.S.C. 3141](#)].

⁶ [20 CFR 677.150\(b\)](#).

⁷ [WIOA Statewide and Local Performance Report](#) (OMB Control No. 1205-0526)

For the Vocational Rehabilitation program, a reportable individual becomes a participant after signing an approved Individual Plan for Employment and provision of services has begun.

For the WIOA Title I Youth program, a reportable individual becomes a participant once the applicable program requirements have been satisfied, eligibility has been determined, an objective assessment has been performed, an individual service strategy has been developed, *and* at least one of the 14 WIOA Youth program elements identified in WIOA sec. 129(c)(2)⁸ has been delivered. (*See Attachment 2, Table 2*).

Exceptions

- An individual in an Adult Education and Family Literacy Act (AEFLA) program who has not completed a minimum of 12 contact hours, and has received no other WIOA services, is *not* a participant.
- An individual who has *only* used the self-service system to independently access workforce development system program information or activities, whether at a job center or partner agency, or remotely through electronic means, is *not* a participant.
- An individual who receives information-only services or activities that provide readily available information that does not require an assessment by a staff member of the individual's skills, education, or career objectives is *not* a participant.

4. **Action:** This Issuance and attachments are effective immediately. Performance data must include only those individuals as directed. Please distribute to appropriate staff.
5. **Contact:** Please direct questions or comments regarding this issuance to the Performance and Research Manager at (573) 526-8261, or email at clint.flowers@ded.mo.gov.
6. **References:**
- WIOA sec. 116 [[29 U.S.C. 3141](#)].
 - U.S. Department of Labor, Employment and Training Administration, Training and Employment Guidance Letter ([TEGL No. 10-16, Change 1](#)), "Performance Accountability Guidance for Workforce Innovation and Opportunity Act (WIOA) Title I, Title II, Title III and Title IV Core Programs—Change 1," August 19, 2017.
 - [TEGL No. 21-16](#), "Third Workforce Innovation and Opportunity Act (WIOA) Title I Youth Formula Program Guidance," March 2, 2017.
 - [WIOA Statewide and Local Performance Report](#) (OMB Control No. 1205-0526)
 - [20 CFR 677.150](#).
7. **Rescissions:** This Issuance supersedes and rescinds DWD Issuance 06-2017, "Differentiating Reportable Individuals from Participants" dated September 22, 2017.

⁸ [29 U.S.C. 3164\(c\)\(2\)](#). The required elements are also listed and discussed in U.S. Department of Labor, Employment and Training Administration, Training and Employment Guidance Letter ([TEGL No. 21-16](#)), "Third Workforce Innovation and Opportunity Act (WIOA) Title I Youth Formula Program Guidance," March 2, 2017, and in the Final Rules at [29 CFR 681.460](#), "What services must local programs offer to youth participants?"

8. Attachments:

- Attachment 1: U.S. Department of Labor, Employment and Training Administration, 2017 WIOA National Convenings, “Definitions and Indicators Walkthrough” [excerpted pages].
- Attachment 2: Participation Triggers for WIOA Title I Adult and Dislocated Worker Programs (Table 1) and WIOA Title I Youth Program (Table 2).

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CONTINUING **the**
CONVERSATION
2017 WIOA National Convenings



**Innovation &
Opportunity
Network**
Implementing WIOA



Definitions and Indicators Walkthrough

Presented by the U.S. Department of Labor, Employment and Training Administration

Definitions: Reportable Individual

A Reportable Individual is someone who:

- Demonstrates intent to use program service
- Only uses self service
- Receives information only services
- Provides identifying information
- A student with a disability receiving only pre-employment transition services (VR-only)

Reportable individuals are reported, but do not count toward performance outcome measures

Definitions: Participant

A Participant is someone who:

- Meets the definition of a reportable individual
- Has received one of the allowable services
- Has satisfied all applicable programmatic requirements for the provision of services



Participants are counted in performance

Definitions: Program Specific

A reportable individual becomes a participant when the individual:

- Title I Adult and Dislocated Worker
 - Receives any training, individualized career service, or a basic career service that is not self-service or information only
- Title I Youth
 - Is determined eligible, receives an objective assessment, develops an individual service strategy, and receives one of the 14 WIOA Youth program elements
- Title II AEFLA
 - Completes at least 12 contact hours

TABLE 1: Participation Triggers*
WIOA Title I Adult, Title I Dislocated Worker, and Title III Employment Service Programs†

Adult/DW/ES Service Type [WIOA Sec. 134(c)]	Does this service trigger inclusion as a participant?	Adult/DW/ES Service Type [WIOA Sec. 134(c)]	Does this service trigger inclusion as a participant?
Eligibility Determination	No	Provision of info on availability of supportive services or assistance	No
Outreach, Intake, Orientation	No	Referral to supportive services	No
Initial assessment of skill levels & supportive service needs	Yes	Provision of information and meaningful assistance filing for UI	Yes
Job-search assistance (self-directed)	No	Assistance establishing eligibility for financial aid	Yes
Job-search assistance (staff-assisted)	Yes	Comprehensive and specialized assessments	Yes
Placement assistance [including “Referred to employment”] (staff-assisted)	Yes	Development of IEP	Yes
Career Counseling (includes “Staff-assisted career guidance”)	Yes	Group counseling	Yes
Providing info on in-demand sectors, occupations, or nontraditional employment	No	Individual Counseling	Yes
Provision of referrals and associated coordination of activities with other programs and services	No	Career Planning	Yes
Provision of workforce and labor market employment statistics information	No	Short-term prevocational services	Yes
Provision of info on job vacancies	No	Internships and work experiences (including transitional jobs)	Yes
Provision of info on job skills necessary to fill vacancies	No	Workforce preparation activities	Yes
Provision of info on local demand occupations, with earnings, skill requirements, and opportunities for advancement for those jobs	No	Financial literacy services	Yes
Provision of performance and program cost info for providers of education and training	No	Out-of-area job search assistance and relocation assistance	Yes
Provision of info on local performance	No	English-language acquisition and integrated education and training programs	Yes
		Training services under WIOA sec. 134(c)(D) <i>except Incumbent Worker Training (see below)</i>	Yes
		Incumbent Worker Training (IWT)‡	No

*Services that trigger an individual to *become* a participant. Source: [Training and Employment Guidance Letter 10-16, Change 1, Attachment 7A \(Table A\)](#).

†This chart discusses services specifically authorized under WIOA sec. 134(c), not all available services.

‡Individuals do not have to be eligible participants in Adult or Dislocated Worker programs to receive IWT, which alone does not trigger participation.

TABLE 2: Participation Triggers*
WIOA Title I Youth Program

Youth Service Type [WIOA Sec. 129(c)(2)] (<i>the 14 program elements</i>)	Does this service trigger inclusion as a participant?†
Tutoring, study-skills training, dropout prevention	Yes
Alternative secondary school services	Yes
Paid and unpaid work experience	Yes
Occupational skills training	Yes
Education offered concurrently with workforce preparation	Yes
Leadership Development	Yes
Supportive Services	Yes
Adult mentoring	Yes
Follow-up services	Yes
Comprehensive guidance and counseling	Yes
Financial literacy education	Yes
Entrepreneurial skills training	Yes
Services that provide labor market information	Yes
Postsecondary preparation and transition activities	Yes

*Services which trigger an individual to *become* a participant. *Source:* [Training and Employment Guidance Letter 10-16, Change 1, Attachment 7B \(Table B\)](#).

†All Youth Program elements trigger participation *following* a determination of eligibility, objective assessment, and completion of the individual service strategy.