

EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210	CLASSIFICATION WIA Section 166 Indian and Native American Program
	CORRESPONDENCE SYMBOL ONP/DINAP
	DATE June 2, 2005

ADVISORY: TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 35-04

TO: ALL INDIAN AND NATIVE AMERICAN GRANTEES

FROM: EMILY STOVER DeROCCO
Assistant Secretary

SUBJECT: Program Year (PY) 2005 Comprehensive Services Program and Supplemental Youth Services Program Funding Allotment and Recommended Performance Levels

1. **Purpose.** To transmit planning guidance on the Workforce Investment Act (WIA) Section 166 two-year plan for the PY 2004-2005 Comprehensive Services Program (CSP) and the Supplemental Youth Services Program (SYSP) funding allotments and recommended performance levels for PY 2005.
2. **References.**
 - a. WIA, Public Law 105-220;
 - b. Division of Indian and Native American Program (DINAP) Bulletin No. 00-04 - Final WIA Regulations - 20 CFR Parts 652 et al. and 668;
 - c. DINAP Bulletin No. 03-03 - WIA Section 166 Designation Procedures for PY 2004 and 2005; and
 - d. DINAP Bulletin No. 03-06 - Planning Instructions for PY 2004-2005 WIA CSP.
3. **Background.** WIA Section 166(e) requires Indian and Native American (INA) grantees to submit a two-year program plan that describes the grantee's strategy for meeting the employment and training needs of American Indians, Alaska Natives, and Native Hawaiians. Accordingly, INA grantees submitted a two-year plan at the beginning of PY 2004 that covers both PY 2004 and 2005. This Training and Employment Guidance Letter (TEGL) provides guidance on submitting modifications (if needed) to the two-year program plan and establishes recommended performance levels for PY 2005. This TEGL also provides information on PY 2005 allotments for the CSP and SYSP.
4. **Information.** A unilateral modification from the Grant Office which automatically adds PY 2005 funds in the SYSP and CSP grant will be processed for those plans that do not have any major changes to service strategy (see items (b) and (c)). Two-year plans that require a modification must be reviewed by the DINAP office and approved by the Grant Officer.

RESCISSIONS: None	EXPIRATION DATE: Continuing
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- a. **Allotments:** The PY 2005 CSP appropriation is \$54,237,600. The appropriation for the SYSP is \$14,794,321. A 0.8 percent reduction, applied to all domestic programs government-wide, is incorporated in the amounts appropriated.

PY 2005 will be the first year that 2000 Census data will be used in the allotment formula. The 2000 Census gave respondents the choice of recording their race based on a single racial identity, or alternatively, on a multi-racial identity. This option made available two data sets from which to derive PY 2005 allotments. The allotments indicated in Attachments 1 and 2 are derived from 2000 Census single racial identity data for American Indian, Alaska Native and Native Hawaiian adults and youth. Additionally, 2000 Census data for youth in poverty are used to derive allotments for the SYSP.

To prevent allotments based on the 2000 Census data from causing program disruptions, a 90 percent hold-harmless concept is used in determining the PY 2005 allotments. The hold-harmless concept compares each grantee's relative share (or percentage) of the 2000 Census data's total relevant population to the grantee's relative share (percentage, not dollars) of the prior year's (PY 2004) funding. Therefore, when the hold-harmless is applied, a grantee will receive funding for PY 2005 based on no less than 90 percent of their prior year relative share (percentage, not dollars).

Additionally, a hold-harmless concept will be in effect over a five year period, PY 2005 through PY 2009, applied against the prior year relative share (percentage, not dollars). The hold-harmless levels for the Comprehensive Program will be 90 percent through PY 2008 and 85 percent for PY 2009, and, for the Youth Supplemental Services Program, 90, 80, 70, 60 and 50 percent, for PY 2005 through PY 2009, respectively. In PY 2010, all grantees will receive funding that reflects their actual relative share based on the 2000 Census data for both programs.

Attachments 1 and 2 provide the PY 2005 allotments for grantees for the SYSP and CPS, respectively, to be used for program planning purposes.

- b. **Modification(s) ARE NOT NEEDED if:** Grantees can meet the projected service levels and adult and youth performance measures as currently approved in the Comprehensive Services Plan (based on the PY 2005 allotments). Contact your Federal Project Officer (FPO) for assistance when analyzing PY 2005 service levels and performance measures.
- c. **Modification(s) ARE NEEDED if:** Grantees plan to make major changes in service strategy for PY 2005 (i.e., adding, expanding, deleting, or diminishing any allowable service specified in your current two-year plan); if there is a decrease in participants that exceeds 25 percent of participants previously proposed to be served, or 25 participants, whichever is larger, or performance measures are proposed to be changed to reflect a change in service strategy. Grantees that are uncertain whether a change to their service strategy will require a modification should contact their FPO.

d. Performance Measures:

Menu of Measures: Grantees will continue to use the current “menu of measures” system for PY 2005.

Government Performance and Results Act (GPRA): While a grantee’s individual performance is rated against the three “menu of measures” they select, the Section 166 program, as a whole, is rated against GPRA goals that have been established for the program. DINAP has been successful in achieving the SYSP goals and the CSP’s PTR; however, the 54 percent EER goal has not been achieved. The GPRA goals for the INA program are:

Comprehensive Services Plan

- Entered Employment Rate (EER) 54 percent
- Positive Termination Rate (PTR) 84 percent

Supplemental Youth Services Plan

- Attainment of at least two goals under established program activities--61 percent
- Attainment of a high school diploma, GED, or improving basic skills--66 percent

A Performance Standard Worksheet is included in this TEGl which establishes a “recommended” and “minimally acceptable” EER goal for each grantee.

DINAP’s GPRA service goal for PY 2005 is 20,000 participants. In PY 2004 the Section 166 service level achieved was 18,278 participants. Grantees are encouraged to increase the number of participants served for PY 2005 in order for DINAP to meet the GPRA level of 20,000 participants.

Average Cost Per Participant: ETA has decided not to include an “efficiency measure” as one of the Common Measures (see TEGl 28-04); however, the recommended national average that DINAP seeks is \$4,000 per participant. This average is calculated by dividing the total amount of funding for the PY 2005 CSP program by the total number of participants planned to be served. In preparing the PY 2005 CSP plan, we recommend that grantees use this average cost level.

Common Measures: ETA has developed a set of common measures to evaluate program performance for all ETA employment and training programs. The common measures will not be implemented by DINAP until PY 2006. In PY 2005, DINAP will begin training grantees on the common measures and will seek volunteers to serve as “pilot” grantees. A TEGl providing further guidance on the common measures will be forthcoming.

- e. **Memorandum of Understanding (MOU):** The Workforce Investment Act (WIA) calls for a seamless, integrated One-Stop Career Center delivery system. The goal of integration is to ensure that the full spectrum of community assets is available through the local service delivery system to support human capital solutions for businesses, industry and individual customers. States are required to describe their systems and processes for implementing the One-Stop System. Section 166 grantees, as stated in Section 662.200 of the final WIA regulations, are to negotiate in “good-faith” an MOU with their Local Workforce Investment Boards.

One of DINAP’s objectives is to identify grantees that have been unable to negotiate MOUs and document the reasons for reaching an impasse. This will help the Department of Labor to identify and remove barriers and to address challenges to supporting a fully-integrated system. As a requirement for submission of the CSP plan following grantee designation for PY 2006-07, grantees will be required to submit documentation of their negotiated MOU(s). In preparation for complying with this requirement, grantees are to review their current MOU to determine whether it will need to be renegotiated for the next grant cycle. Grantees that are unable to enter into an MOU after good-faith negotiations will be required to fully document negotiation efforts that have taken place and reasons for their inability to successfully negotiate an MOU. Grantees will be required to submit such documentation with their PY 2006-07 CSP.

- f. **Waivers:** Grantees may submit a request for a waiver of any statutory or regulatory requirement except for those cited in section 668.920. Waiver requests can be submitted at any time.
- g. **Public Law (P.L.) 102-477 Grantees:** PY 2005 funds will be transferred to the Department of Interior’s Office of Self Governance for all P.L. 102-477 grantees with currently approved plans.

- 5. **Action.** Grantees planning to make the following changes to their current two-year plan must submit the following:

- a. **A major change in service strategy:** Grantees requesting a major change in service strategy must submit a narrative explaining the change along with a grant signature sheet (Attachment 3). If the change in service strategy also increases or decreases the planned number of participants served in any of the allowable planned activities by more than 25%, a Participant and Cost Projection Worksheet (Attachments 4 and 5) and the performance calculation worksheets (attachments 6 & 7) must also be submitted.
- b. **An average cost per participant in excess of \$4,000:** Grantees that plan to have an average “cost per participant” of more than \$4,000 must submit a narrative explaining the training services and estimated costs. A Participant and Cost projection worksheet (Attachments 4 and 5) along with a grant signature sheet (Attachment 3) must also be submitted. The average cost per participant is calculated by dividing the total amount of funding for the PY 2005 CSP program divided by the total estimated number of participants the grantee plans to serve.

- c. **A change in performance measures selected in the original plan:** Grantees requesting to change measures from the three measures selected in their original two-year plan must submit a revised Performance Measures Calculation Worksheet (attachments 6 & 7); a Participant and Cost projection worksheet (Attachments 4 and 5) and a grant signature sheet.
- d. **An increase in the negotiated administrative cost limit:** Grantees requesting to increase their negotiated administrative cost limit must submit justification for such increases. Administrative cost limits are only negotiable up to 20 percent.

No further action is required by grantees that are not requesting a modification. Grantees may use the optional forms provided (CSP and SYSP Participant and Cost Projections Worksheet and Performance Calculation Worksheets) to determine if modifications are needed to their two-year plans. A signed/approved Grant Signature Sheet must accompany any requests for modification.

Please send the appropriate documentation to the following address:

U.S. Department of Labor
ETA/Room C-4312
Division of Indian and Native
American Programs
200 Constitution Ave., N.W.
Washington, D.C. 20210
ATTN: MIS-CSP DESK

- 6. **Inquiries.** If you have questions about the information in this TEG, contact your DINAP Federal Project Officer: East Team, Craig Lewis (202-693-3384) or Andrea Brown (202-693-3736); Midwest Team, Duane Hall (214-767-2154) or Dawn Anderson (202-693-3745); and West Team, Guy Suetopka (415-975-4383) or Sibert Seciwa (415-975-4621).

Attachments

- 1) PY 2005 Supplemental Youth Services Allotments
- 2) PY 2005 Comprehensive Services Allotments
- 3) Grant Signature Sheet
- 4) Participant and Cost Projections Worksheet-Adult
- 5) Participant and Cost Projections Worksheet-Youth
- 6) Comprehensive Services Performance Measures Calculation Worksheet
- 7) Supplemental Youth Services Calculation Worksheet