

TEXAS WORKFORCE COMMISSION
Workforce Development Letter

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Effective:	April 15, 2024

To: Local Workforce Development Board Executive Directors
Commission Executive Offices
Integrated Service Area Managers



From: Courtney Arbour, Director, Workforce Development Division

Subject: **Workforce Innovation and Opportunity Act Performance Outcomes:
Measurable Skill Gains—Update**

PURPOSE:

The purpose of this WD Letter is to provide Local Workforce Development Boards (Boards) with information and guidance on Workforce Innovation and Opportunity Act (WIOA) Performance Outcomes, specifically Measurable Skill Gains (MSGs) for WIOA core programs and for the Trade Adjustment Assistance (TAA) program. This WD Letter and its attachment:

- define MSGs as they relate to WIOA and TAA performance accountability;
- describe how to document progress for MSGs;
- describe the entry of MSGs during participation in education or training services;
- describe the documentation of contact hours as credit hour equivalents for satisfactory progress in postsecondary education; and
- provide guidance on the WorkInTexas.com data fields related to MSGs.

This updated WD Letter provides clarification relating to the implementation of WorkInTexas.com as the Texas Workforce Commission’s (TWC) workforce case management system.

RESCISSIONS:

WD Letter 09-19, Change 2

BACKGROUND:

WIOA §116 establishes performance accountability indicators and performance reporting requirements to assess the effectiveness of states and local workforce development areas

in achieving positive outcomes for individuals served by the workforce development system's six core programs. MSGs measure the outcomes of WIOA program participants in education or training programs that lead to a recognized postsecondary credential or employment or a secondary diploma or equivalent. Specifically, the MSG indicator is used to measure the interim progress of participants who are enrolled in education or training services during a program year.

The reauthorization of the TAA program through the Trade Adjustment Assistance Reauthorization Act (TAARA) of 2015, Title IV of the Trade Preferences Extension Act of 2015 (Pub. L. No. 114-27), aligns many of the same performance accountability indicators for the TAA program by specifying many of the same performance indicators as specified for WIOA core programs (19 USC 2311(j)(2)(A)(i)). Therefore, the TAA program is aligned with the requirements and definitions in this guidance.

Requirements related to the implementation and operation of the performance accountability system are described under WIOA §116, including implementing joint regulations in 20 CFR Part 677 (and reprinted in 34 CFR Parts 361 and 463). Training and Employment Guidance Letter (TEGL) No. 10-16, Change 2, titled "Performance Accountability Guidance for Workforce Innovation and Opportunity Act (WIOA) Title I, Title II, Title III, and Title IV Core Programs," issued by the US Department of Labor (DOL), provides guidance on these federal regulations and the reporting instructions in the ETA 9172 Participant Individual Record Layout (PIRL) form and the ETA 9169 WIOA Statewide Report Template and Report Specifications form.

PROCEDURES:

No Local Flexibility (NLF): This rating indicates that Boards must comply with the federal and state laws, rules, policies, and required procedures set forth in this WD Letter and have no local flexibility in determining whether and/or how to comply. All information with an NLF rating is indicated by "must."

Local Flexibility (LF): This rating indicates that Boards have local flexibility in determining whether and/or how to implement guidance or recommended practices set forth in this WD Letter. All information with an LF rating is indicated by "may" or "recommend."

NLF: Boards must ensure that in accordance with this WD Letter and its attachment, Workforce Solutions Office staff:

- records in WorkInTexas.com all MSGs that participants achieve during a program year in which they were education or training participants, even MSGs that occur after the education or training ends or after exit, as long as the MSG is achieved before the end of the program year; and
- includes appropriate documentation in WorkInTexas.com Case Notes and case files.

NLF: Boards must be aware that all participants in education or training programs that lead to recognized postsecondary credentials or employment or a secondary diploma or equivalent are counted in the denominator for that program year, unless the participant qualifies for an exclusion. This includes participants who exit during a program year as well as those who continue to receive services. Training or education programs are

defined by each core program. The following participants are included in the denominator for this measure:

- **Title I Adult and Dislocated Worker**—All participants in Title I Adult or Dislocated Worker-funded training, including work-based training and training leading to secondary school equivalency. Individuals who are enrolled in an education program at the Date of Participation or during participation but who have no other training or are not being funded by the program for the education or for services to support the education are not included in this category.
- **Title I Youth**—All in-school youth. Out-of-school youth are included only if one of the following applies during participation in the Youth program:
 - Occupational-skills training program element
 - Secondary education
 - Postsecondary education
 - Title II–funded adult education concurrent with the Youth program
 - YouthBuild program participation concurrent with the Youth program
 - Job Corps program participation concurrent with the Youth program
- **Title II Adult Education and Family Literacy Act**—All participants
- **Title IV Vocational Rehabilitation**—All participants enrolled in education programs or training that leads to secondary or recognized postsecondary credentials or employment, identified by their Individualized Employment Plan.
- **Trade Adjustment Assistance**—All individuals who received benefits under TAA (including Trade Readjustment Allowances benefits) and who, during a year while receiving such benefits, are in an education or training program that leads to a recognized postsecondary credential or employment.

NLF: Boards must be aware that participants are included in the MSG numerator for any program year in which both of the following occurred during that program year:

- The participant was in education or training.
- The participant achieved an MSG.

If an MSG is achieved after exit, the participant is still included in the MSG numerator for that program year if the education or training, exit, and the MSG achieved all occurred during that same program year.

NLF: Boards must be aware that MSGs for participants who are coenrolled in both Title I WIOA programs and Title II Adult Education and Literacy (AEL) activities may be earned by both the Board and the AEL grant recipient. However, the education or training activity and the MSG must be entered into both WorkInTexas.com and TEAMS.

NLF: Boards must be aware of and ensure the following:

- An MSG is a measure of the documented progress (academic, technical, occupational, or other) that a participant in a training or education program makes toward obtaining a recognized postsecondary credential, secondary diploma or equivalent, or reaching employment-related performance indicators.
- An MSG measures interim progress. Therefore, it is different from other WIOA measures in that it is not an exit-based measure. Because it is not exit-based, each

unique period of participation (POP) triggers the MSG’s inclusion in the performance calculation. Participants who either continue to receive services or who have exited during the reporting period are included in the measure.

- An MSG may be counted as soon as it is earned at any point during a program year. Because MSGs are a measure of progress, once an MSG is earned, it is a positive gain that may not be unearned by further performance during the program year. Although only the most recent MSG is used for performance outcomes, Boards must ensure that Workforce Solutions Office staff records all MSGs achieved during a program year to ensure that a full accounting of gains is reported to DOL, Congress, and other stakeholders.

NLF: Boards must identify the appropriate method of demonstrating an MSG for each participant when working with the participant on their education or training plan. The following are the five categories of MSGs:

- Educational Functioning Level (EFL) gain, which includes the following:
 - Formal assessments showing grade level equivalent increase
 - Enrollment in postsecondary training following completion of secondary-level education
- Attainment of secondary school diploma or its recognized equivalent
- Report card or transcript showing satisfactory progress
- Training milestones as demonstrated by a satisfactory or better progress report
- Skills progression as demonstrated by successful passage of an exam

NLF: Boards must ensure that Workforce Solutions Office staff documents TAA and WIOA participants’ achievement of MSGs in WorkInTexas.com by entering:

- pretest and posttest results for EFL gains in the Educational Functioning Level for Measurable Skills Gain ribbon; and
- all other MSG-related data in the Measurable Skills Gain ribbon of the applicable program.

NLF: When pretesting and posttesting are used to demonstrate EFL gains, Boards must use the National Reporting System (NRS)–approved tests that have also been approved by TWC’s AEL program. NRS-approved tests and scoring systems are included in [test benchmarks for NRS EFLs](#).

LF: Boards may contact the local AEL program for information on bulk purchase orders of NRS-approved tests for use in AEL and Board programs, as well as information on test administration training opportunities that may be available. Boards may find contact information for the local AEL program by searching for the grant recipient on the AEL provider directory search page at <https://tcall.tamu.edu/search.aspx>.

NLF: Boards must be aware that MSG requirements for the AEL program, including data reporting requirements specific to AEL, may be found in the [Texas Adult Education and Literacy Testing Guide Program Year 2023–2024](#), the AEL Guide, and AEL Letter 01-18, Change 1, issued September 7, 2018, and titled “Educational Outcomes for Adult Education and Literacy—Update,” and subsequent issuances. Boards that are also AEL

grant recipients must adhere to all AEL policy and guidance for the AEL program when reporting performance for the AEL program.

LF: For additional information on NRS-approved tests, including test publishers, Boards may use the Texas Adult Education and Literacy Testing Guide Program Year 2023–2024.

NLF: Boards must ensure that appropriate staff follows the guidance provided in Attachment 1, Types and Documentation of Measurable Skill Gains, which addresses the types of MSGs, documentation requirements, and correct WorkInTexas.com data entry.

INQUIRIES:

Send inquiries regarding this WD Letter to wfpolicy.clarifications@twc.texas.gov.

ATTACHMENTS:

Attachment 1: Types and Documentation of Measurable Skill Gains

Attachment 2: Revisions to WD Letter 09-19, Change 2, Shown in Track Changes

Attachment 3: Revisions to Attachment 1, Types and Documentation of Measurable Skill Gains, Shown in Track Changes

REFERENCES:

Workforce Innovation and Opportunity Act of 2014, §116, Performance Accountability System

Adult Education and Family Literacy Act

20 CFR Part 677 (and reprinted in 34 CFR Parts 361 and 463)

US Department of Labor Employment and Training Administration, Training and Employment Guidance Letter No. 23-19, Change 2, issued May 12, 2023, and titled “Revisions to Training and Employment Guidance Letter (TEGL) 23-19, Change 1, Guidance for Validating Required Performance Data Submitted by Grant Recipients of U.S. Department of Labor (DOL) Workforce Programs”

US Department of Labor Employment and Training Administration, Training and Employment Guidance Letter No. 10-16, Change 2, issued September 15, 2022, and titled “Performance Accountability Guidance for Workforce Innovation and Opportunity Act (WIOA) Title I, Title II, Title III, and Title IV Core Programs”

[WorkforceGPS—Measurable Skill Gains E-Learning Module](#)

[TWIST Release 6.3—WIOA Implementation Changes to Performance Outcomes](#)

[Texas Adult Education and Literacy Guide](#)

[Texas Adult Education and Literacy Testing Guide Program Year 2023–2024](#)

[Texas Adult Education and Literacy Performance Guide](#)

[AEL Letter 01-18, Change 1](#), issued September 7, 2018, and titled “Educational Outcomes for Adult Education and Literacy—Update”